

**DIRECTORS' MEETING  
MONDAY, SEPTEMBER 20, 2004 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

1. Washington Report - September 10, 2004.

**II. CITY CLERK**

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS/CORRESPONDENCE**

**TERRY WERNER**

1. **OUTSTANDING Request to Vince Mejer, Purchasing Agent - RE: Notice to Bidders #04-110 – Television Equipment (RFI#132 - 6/16/04)**
2. **OUTSTANDING Request to Allan Abbott, Public Works & Utilities Director - RE: Dredging of Williamsburg Lake (RFI#135 - 8/11/04). — 1.) SEE RESPONSE FROM KARL FREDRICKSON, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#135 - 9/13/04.**
3. **OUTSTANDING Request to Allan Abbott, Public Works & Utilities Director - RE: 11<sup>th</sup> & "O" Streets Intersection (RFI#137 - 8/31/04). — 1.) SEE RESPONSE FROM SCOTT OPFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#137 - 9/13/04.**

**GLENN FRIENDT**

1. **OUTSTANDING Request to Public Works /Law /Urban Development - RE: Alley improvements (RFI#38 - 8/16/04). — 1.) SEE RESPONSE FROM DENNIS BARTELS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#38 - 8/23/04.— 2.) SEE RESPONSE FROM JEFF COLE, URBAN DEVELOPMENT DEPARTMENT RECEIVED ON RFI#38 - 8/26/04.**

2. **OUTSTANDING Request to Allan Abbott, Public Works & Utilities Director/Marvin Krout, Planning Director - RE: Williamsburg Lake Dredging (RFI#39 - 8/17/04).**

#### **JONATHAN COOK**

1. **OUTSTANDING Request to Harry Kroos, Public Works & Utilities Department - RE: Sidewalks (RFI#117 - 8/17/04). — 1.) SEE RESPONSE FROM HARRY KROOS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#117 - 9/13/04.**

#### **ANNETTE McROY**

1. Request to Karl Fredrickson, Public Works & Utilities Department - RE: North 14<sup>th</sup> Street Improvements (RFI#154 - 9/01/04). — **1.) SEE RESPONSE FROM KARL FREDRICKSON, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#154 - 9/13/04.**
2. Request to Public Works & Utilities Department-Traffic – RE: Roundabout in the Highlands (RFI#157 - 9/10/04)

#### **JON CAMP**

1. 3 e-mails on Patriot Act Resolution - Two in support; One Opposed (Copies to Council prior to Formal Meeting of 09-13-04)

#### **B. DIRECTORS AND DEPARTMENT HEADS**

##### **FINANCE DEPARTMENT/CITY TREASURER**

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska - Investments Purchased August 30 thru September 10, 2004.

#### **LIBRARY**

1. NEWS RELEASE - RE: Annual Library Book Sale - (See Release)

## **PARKS & RECREATION DEPARTMENT**

1. Response Letter from Lynn Johnson to Michael James, President, Woods Park Neighborhood Association - RE: Appraisal of Land of Woods Park being Transferred to the Health Department - (See Letter)

## **PERSONNEL**

1. Report - RE: 2004-2005 City of Lincoln Pay Plan - (Council copies placed in their file folders on 9/16/04)(Copy of this Report on file in the City Council Office)

## **PLANNING**

1. Memo & Amended pages for the 2025 Lincoln/Lancaster County Comprehensive Plan from Stephen Henrichsen - RE: Comp Plan Amendments through August 2004 -(Copy of this Material on file in the City Council Office)
2. Response Letter & Material from Marvin Krout to Lois Hartzell, Rembolt Homes - RE: August 18, 2004 Housing Cost Comparison Letter - (See Material)
3. Letter from Becky Horner to Michael R. Johnson, Olsson Associates - RE: Highlands Coalition 4<sup>th</sup> Addition Final Plat #04022 - (See Letter)

## **PUBLIC WORKS & UTILITIES DEPARTMENT**

1. Public Works & Utilities ADVISORY - RE: Open House regarding the following roadway projects in the vicinity of South 56<sup>th</sup> Street and Pine Lake Road: Pine Lake Road, 40<sup>th</sup> Street - 61<sup>st</sup> Street; South 56<sup>th</sup> Street, Old Cheney Road-Shadow Pines Drive; South 56<sup>th</sup> Street, Thompson Creek Blvd.-Yankee Hill Road; Pine Lake Road, 61<sup>st</sup> Street-Highway 2 - On September 22<sup>nd</sup> from 6:00 p.m. to 8:00 p.m. at Humann Elementary School - (See Advisory) — **AS OF 9/16/04 THIS OPEN HOUSE HAS BEEN CANCELLED!**
2. Letter from A.F. Edwards to Florafae Schoen - RE: Street & Road Maintenance - (See Letter)

## **STARTRAN**

1. Response Letter from Larry Worth to Marie Elikar - RE: Your Sept. 2, 2004 correspondence in which you described your unfortunate experience in the utilization of the StarTran HandiVan service that day - (See Letter)

## **C. MISCELLANEOUS**

1. E-mails on Patriot Act legislation - Eight in support- These e-mails presented to Council prior to the Formal Council Meeting on September 13<sup>th</sup>, 2004.
2. E-mail RE: Smoking Ban on the Ballot - A Real Choice? (See e-mail)
3. 3 E-Mail's from Kathy Wolfe; Rebecca Schulte; Susy McMahan - RE: Defense of Liberty Resolution (Council received their copies of these E-Mail's on 9/13/04 prior to the Formal Council Meeting)(See E-Mail's)
4. 2 E-Mail's from Tim Harris; Stephanie Dohner - RE: Defense of Liberty Resolution - (Council received their copies of these E-Mail's on 9/13/04)(See E-Mail's)
5. E-Mail from Chuck Fricke - RE: Highway 77 bypass - (See E-Mail)
6. Letter from Roland & Marion Casburn - RE: Andrea's Court Community Unit Plan, Special Permit No. 04035 - (See Letter)
7. Letter from Martin Fortney, Vice President, Regal Building Systems, Inc., President, RLM L.L.C. - RE: NW 1<sup>st</sup> & Barrons Road - Ranch Style town home project - (See Letter)
8. E-Mail from Thom Payne to KLIN - RE: The current poll-conducted on their website - is: How will you vote in special street bond election? - (See E-Mail)
9. E-Mail from Trenton Gibbs - RE: The Bond Issue - (See E-Mail)
10. E-Mail from Tony Ojeda - RE: The recent failure of the Bond Issue being passed - (See E-Mail)
11. E-Mail from Ruthann Young - RE: Library Bonds - (See E-Mail)

12. E-Mail from Ed Schnabel - RE: The Bond Issue - (See E-Mail)
13. Letter from Mike Jahnke - RE: The Patriot Act - (See Letter)
14. E-Mail from Dan Haase - RE: Property Tax: A burden of fairness unment? - (See E-Mail)
15. E-Mail from Glenn Ledder - RE: Follow up to Patriot Act testimony - (See E-Mail)
16. E-Mail from Robert Narveson - RE: Patriot Act - (See E-Mail)
17. E-Mail from Irene Williams with response from Joan Ray- RE: Seeking information (See E-Mail)
18. E-Mail from David & Karen Portenier - RE: Andrea's Court Community Unit Plan, Special Permit #04035 - (See E-Mail)
19. E-Mail from Steve Davenport - RE: The Bond issue - (See E-Mail)
20. E-Mail from Jodi Delozier - RE: Failed Bond Issue - (See E-Mail)
21. E-Mail from Samuel Sloan - RE: The Bond Issue - (See E-Mail)
22. Material from Wayne Hester - RE: About President Bush - War on Terror (See Material)

#### **IV. DIRECTORS**

#### **V. CITY COUNCIL MEMBERS**

#### **VI. ADJOURNMENT**

# Washington Report

City of Lincoln -- Washington Office

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CITY COUNCIL  
OFFICE

## Congress Returns To Full Slate Of Work

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### Congress

#### Congress returns from six-week summer recess.

Both the House and Senate were in session this week for the first time since late July, having taken a long summer break that was highlighted by the Republican and Democratic national conventions. However, with the increasingly partisan tone of the upcoming elections, it may be difficult for Congress to approve any major legislation prior to adjourning again in early to mid-October.

Early indications this week are that the highest priorities for Congress for the remainder of the year are completing the 13 FY 2005 appropriations bills and debating the recommendations of the National Commission on Terrorist Attacks Upon the United States, also known as the September 11 Commission. The amount of time needed to address those two issues significantly decreases the chances that Congress will be able to address other priority legislation such as a transportation reauthorization bill, a corporate tax bill, comprehensive energy legislation, and welfare reauthorization.

However, even the spending bills and intelligence overhaul will have a difficult time being approved in a closely divided Congress prior to the election. Neither Republicans nor Democrats are eager to give the other side a legislative "win" to hang their hat on before November 2, so the result may be a great deal of debate with little final action. A good example of such gridlock is the FY 2005 Homeland Security department appropriations bill that is currently pending on the Senate floor.

Republican leadership would like to clear that measure quickly to claim some progress in keeping the nation safe but they are proceeding carefully with the bill because Senate Democrats intend to introduce a number of amendments that would increase funding for a variety of

programs at the agency. Such a strategy forces Republicans to either vote publicly against increases in popular homeland security programs or vote for them and violate the strict budget caps on domestic spending imposed by the White House.

Since the Senate has only approved one of the 13 FY 2005 appropriations bills, there would be ample opportunities for Democrats to force debate on sensitive issues such as the new Department of Labor overtime rules, the expiration of the federal assault weapons ban, and an increase in the minimum wage. As a result, Republican leaders in both the House and the Senate are strongly considering wrapping a number of the spending measures into one "omnibus" package that would require a single vote. Since the omnibus bill would contain a number of items that Democrats support, it would be more difficult for them to hold up the bill when it comes for a vote.

Omnibus or not, the timing of the completion of the appropriations bills remains up in the air. Senate Appropriations Committee Chairman Ted Stevens (R-AK) continues to maintain that he would like to consider all 13 bills on the floor individually. This week, both the Transportation-Treasury and VA, HUD, and Independent Agencies measures were approved on the Senate subcommittee level. At the current pace, and assuming a long debate for the September 11 Commission recommendations, there is little chance that Stevens' goal could be achieved before the elections. That leaves the possibility of an omnibus package being considered before mid-October, but most believe that consideration during a post-November 2 session is more likely. The House and Senate already have non-legislative organizational activities scheduled for the week of November 13, so that may be the time for such a session to occur.

The other outstanding spending issue is supplemental funding in FY 2004 for FEMA to deal with response to recent Hurricanes in Florida. Congress quickly approved \$2 billion in additional aid this week, but more funding will be necessary, and that measure may be a target for some other spending priorities such as additional funds for NASA, drought relief, and possibly the Yucca Mountain nuclear repository.

## Transportation

Senate panel approves transportation spending bill, TEA-21 reauthorization negotiations stuck. The Senate Transportation Appropriations Subcommittee approved yesterday the FY 2005 Transportation-Treasury Appropriations bill that provides \$60 billion in transportation funding.

The spending measure included \$37.9 billion for the highway program, which is slightly less than the House approved figure and \$1 billion more than the Administration's request. Senate appropriators also provided \$7.75 billion in transit spending, which is \$450 million more than House-passed number and the Administration's request. Both figures are significantly lower than the \$37.9 billion for highways and \$8.86 billion for transit that was included in the Senate-passed six-year reauthorization bill.

Included in the transit title was \$1.47 billion for the New Starts program, which provides funding for major transit projects. This matches the amount requested by the Administration and \$200 million more than the FY 2004 allocation. Led by House Transportation Appropriations Subcommittee Chairman Ernest Istook (R-OK), who has frequently expressed his displeasure with the New Starts program, House appropriators approved \$1 billion for the program.

The Senate panel also approved \$1.217 billion for Amtrak, which is \$317 million more than the House approved figure and the Administration's budget request. This

marks the second year in a row that Senate appropriators have given the beleaguered national rail system a last minute boost in spending. However, Amtrak has maintained that it needs at least \$1.8 billion in FY 2005 to stay solvent.

The spending measure would also provide \$13.9 billion for the Federal Aviation Administration, including \$3.5 billion for the Airport Improvement Program, and \$2.5 billion for the Facilities and Equipment grant program.

The legislation did not contain highway or transit earmarks that are generally included during consideration of the bill. However, it is anticipated that member's special projects will be included during a House-Senate conference committee on the measure.

In related news, there was no progress on the House-Senate conference on the reauthorization of the TEA-21 law, making it increasingly likely that the bill will not be completed prior to the November elections. In fact, negotiations may have taken a step back this week when Senate Environment and Public Works Committee Chairman James Inhofe (R-OK) remarked to a local newspaper that he had agreed to the House proposal of a \$299 billion overall funding level for the six-year bill and that he thought "we can get it done without the Democrats support."

The comments angered Senate Democrats, who had struck a deal with Inhofe that Senators would be united in their stance and Democrats would be included in all major decisions. Inhofe responded that the deal was off because Democrats have not been acting in good faith recently, and many believe that they are stalling the bill for political purposes.

Earlier this year, the Senate approved a \$318 billion highway bill and the House approved a \$284 billion measure after backing off of its original proposal of \$375 billion. The White House indicated that it would veto either bill should it be presented to the President, but House Ways and Means Committee Chairman Bill

Thomas (R-CA) believes that he has the blessing of the White House for the \$299 billion figure.

To date, Inhofe has not scheduled another Conference Committee meeting making it increasingly unlikely that the transportation bill will be completed this year. Recognizing this and in need of an election year victory, President Bush recently commented that he would consider a one-year bill. This position is a far swing from the Administration's original statement that they would only accept a six-year bill at the \$256 billion level.

## Gun Control

Congress not planning on extending assault weapons ban this year. The 10-year old federal ban on certain types of assault weapons is scheduled to expire on September 13, and Republican leaders in both the House and Senate indicated this week that they had no plans to consider an extension this year.

The assault weapons ban prohibits the manufacture and use of 19 specific firearms and limits magazines to 10 rounds of ammunition. This week, the Consumer Federation of America reported that gun manufacturers, in anticipation of the ban expiring, plan to roll out an extensive line of previously illegal weapons that will be considerably less expensive than they were 10 years ago.

Seventy police chiefs from across the country called on Congress this week to extend the current ban, but House Majority Leader Tom DeLay (R-TX) refused to schedule a vote on the matter, and said "If the President asked me, it would still be no." Senate Majority Leader Bill Frist (TN) remarked that allowing the ban to expire reflected the "will of the American people," prompting a rebuttal of "That's baloney," from Senator Dianne Feinstein (D-CA), a chief sponsor of legislation to extend the ban. Feinstein referred to a recent survey that found 68 percent of Americans want the ban extended, including 57 percent of

those who have a gun in their homes.

The National Rifle Association opposes the ban and is withholding an endorsement of President Bush until after the assault weapons ban expires. Bush has said that he supports the extension of the ban but has done little to spur Congress to act. Senator John Kerry (D-MA) has also indicated his support for the extension, but has chosen not to highlight that fact in recent weeks as he seeks votes in swing states that are seen as "gun friendly."

## Homeland Security

Powell urges Congress to reserve spectrum: McCain-Lieberman proposal calls for changes to first responder funding programs. Testifying before the Senate Commerce, Science and Transportation Committee this week, Federal Communications Commission (FCC) Chairman Michael Powell called on Congress to codify a recent FCC decision that is designed to eliminate interference in the 800 megahertz (MHZ) band of the radio spectrum and also reserves 8.5 MHZ of spectrum in the 700 and 800 bands for public safety use.

Under the order, which the FCC adopted unanimously, Nextel Communications will be required to abandon portions of the spectrum that it owns in the 700 and 800 MHZ bands and will be given new spectrum in other bands in exchange. The FCC adopted the decision despite the costs it will impose on Nextel Communications, arguing that local public safety agencies could not as easily afford to relocate to other portions of the spectrum. Though Powell testified that he does not expect legal challenges to the decision, he argued that codifying it will ensure that the issue of interference with public safety communications is addressed in the short term.

In his testimony, Powell also voiced his strong support of the recommendation of the 9-11 Commission that Congress adopt legislation (HR 1425) introduced by Representatives Curt Weldon (R-PA) and

Jane Harman (D-CA) that would require analog television broadcasters operating in the 700 MHZ band of spectrum to vacate that portion of spectrum by December 31, 2006. However, Powell tempered that support with a refusal to endorse a specific deadline for the transition to digital television.

The Balanced Budget Act of 1997 requires that 24 MHZ of the 700 band of the spectrum be reserved for public safety communications as television broadcasters make the switch to digital operations. However, broadcasters have been slow to abandon that portion of the spectrum due to the slow adoption of digital television by consumers. Currently, the FCC is requiring a full switch to digital television broadcasting by December 31, 2009. Powell testified that currently 40 television stations broadcast in the portion of the spectrum in question and that many of them are located in markets where many households continue to rely on over-the-air transmission for television. Powell told the Committee that the later the transition date, the more affordable digital televisions will become and the fewer subsidies the government will have to provide to make the transition successful.

Commerce Committee Chairman John McCain (R-AZ) told Powell that although he recently introduced legislation (S 2774) with Senator Joe Lieberman (D-CT) to implement the recommendations of the September 11 Commission including the December 31, 2006 deadline, he has concerns about how the deadline would affect those 40 stations and the impact it would have on consumers.

In addition, as reported in the July 23, 2004 *Washington Report*, the 9-11 Commission recommends that first responder funding be distributed according to threat even if its means that many communities or even whole states do not receive assistance. S 2774 endorses this recommendation.

Under S 2774, homeland security assistance would require the Department of Homeland Security to allocate funding to the states according to threat level, risk,

population and population density. In an alarming departure from current requirements that states suballocate most funds to local governments in a timely manner, S 2774 calls for suballocation only on the basis of threat and risk. S 2774 also calls for a collaborative effort of the Department of Homeland Security, the FCC and state and local governments to encourage and support the establishment of effective and consistent public safety communications systems in urban areas. However, the bill does not include any funding for implementation of the plan and for any other improvements to state and local public safety communications.

Though the Commerce Committee has yet to schedule a markup of S 2774, Senate Majority Leader Bill Frist (R-TN) has said that legislation to implement the recommendations of the 9-11 Commission is among his priorities for the remainder of the session. The House has taken no action on HR 1425 since it was introduced last year. House leadership is preparing legislation incorporating the 9-11 Commission recommendations and Democrats introduced companion legislation to McCain/Lieberman bill this week.

## Overtime Rules

House votes to overturn new Labor Department overtime regulations. During debate of the FY 2005 Labor, HHS, and Education Departments appropriations bill, the House approved an amendment that would block the new Bush Administration regulations governing overtime pay. All 200 Democrats present voted for the amendment, while 22 Republicans crossed party lines to put it over the top (see May 7 *Washington Report* for details on the overtime rule).

Both the House and Senate have approved amendments to block the overtime rules since they were first proposed last year, but none of the bills in which the amendments were included became law, so the rules went into effect on August 23, 2004. However, the House vote this week



was a significant blow to the Bush Administration in that it may force the President to choose between blocking the overtime rule or issuing a veto of the entire bill, which includes funding for popular programs at the HHS, Labor, and Education Departments.

Republican leaders in the House had initially pulled the Labor, HHS bill from floor consideration this week when it became apparent that Democrats had the votes to approve the amendment to block the overtime rule. They eventually relented, however, believing that the amendment would be removed in a House-Senate conference committee because of the threat of a Presidential veto.

Whether or not the rules are blocked, Democrats intend to use the issue on the campaign trail as an example of what they contend to be a lack of Republican concern for American workers. Many of the 22 GOP defectors on the overtime amendment were from manufacturing states that have lost jobs recently.

## Comm. Development

The Federal Deposit Insurance Corporation (FDIC) is proposing revisions to Regulations under the Community Reinvestment Act (CRA). Enacted by Congress in 1977 CRA is designed to encourage insured banks and thrifts to meet the credit needs of their entire communities, including low- and moderate-income communities. Under the proposed rule, the definition of a "small bank" would be changed, raising the asset size threshold to \$1 billion regardless of holding company affiliation. The revisions also call for the addition of a community development activity criterion to the streamlined evaluation method for small banks with assets greater than \$250 million and up to \$1 billion. The proposed rule would also expand the definition of "community development" to include a broader range of activities in rural areas.

Under current CRA regulations, an institution is classified as "large" if at the

end of two years it holds assets of at least \$250 million or is affiliated with a holding company with total bank or thrift assets of \$1 billion or more. Large institutions must collect and report data on small business loans and community development loans. Under the current regulations, "small" banks, with assets under \$250 million and not part of a holding company with bank and thrift assets over \$1 billion, are evaluated on the institutions loan-to-deposit ratio, the percentage of loans in its assessment areas, its record of lending to borrowers of different income levels, the geographic distribution of its loans and on its response to written complaints.

Supporters of the proposed rule believe that the proposed changes with respect to definition of size and uses will allow small banks to maintain their focus on local communities and the proposed streamlined evaluation will provide substantial relief for smaller banks that were previously outbid on qualified investments by multi-billion dollar banks.

Opponents led by community groups, have expressed concern that these changes would no longer hold banks responsible for investing in local community projects that have been a major source of affordable rental housing and have played a major role in revitalizing low- and moderate-income neighborhoods. Community groups believe the proposed changes will particularly affect residents of rural communities and residents of states with smaller financial institutions, arguing that the large bank CRA examination does a better job of encouraging investment in the community than the small bank examination. The groups are also concerned that by removing the holding company threshold from the definition of small bank, regulators will not only reduce the number of institutions subject to the large bank test, but also create a potential loophole for large holding companies to exploit when trying to evade CRA compliances. This change raises the possibility, in the view of community groups, that large holding companies will reform their banking subsidiaries as a series of local "small banks" to avoid the

investment and service tests.

Leading Democrats on Capitol Hill spoke out against the rule this week charging that it erodes the CRA because it is active in house and small business lending. Comments on the proposed rule must be received before September 20, 2004. A copy of the proposed rule is available from this office.

## Air Quality

EPA releases guidance for transportation conformity under new ozone and particulate matter standards. The Environmental Protection Agency (EPA) released guidance this week to assist state and local officials as they develop transportation conformity plans under the new, more stringent ozone and particulate matter standards issued by the EPA earlier this year. The guidance is designed to accompany the transportation conformity regulations issued by EPA in July in the wake of the new ozone and particulate matter standards.

Transportation conformity regulations require that highway and transit projects conform with state implementation plans (SIPs) for improving air quality in metropolitan areas that do not meet National Ambient Air Quality Standards (NAAQS) under the Clean Air Act. The new NAAQS for ozone and particulate matter were finalized earlier this year and most states are currently in the process of developing new SIPs to reflect the new standards.

The guidance is designed to address such questions as how to develop plans in non-attainment areas covered by more than one metropolitan planning organization and how to proceed with transportation conformity plans in new non-attainment areas awaiting finalization of a state implementation plan. A copy of the guidance is available from this office and at <http://www.epa.gov/otaq/transp/conform/420b04012.pdf>.

## Environment

Bush issues Executive Order directing federal agencies to include local participation in their environmental decisions. Known as the Facilitation of Cooperative Conservation, the order refers to programs at the Departments of Interior, Agriculture, Commerce, and Defense and the EPA dealing with using, enhancing, and enjoying natural resources and/or protecting the environment. In any of these activities, the agencies must cooperate with federal, state, local, and tribal governments, private for- and non-profit organizations, and nongovernmental entities or individuals who have interests in the activity.

The Order requires these agencies to coordinate with each other and with local bodies by taking account of and respecting the interests of relevant individuals, accommodating local participation in federal decision making, and ensuring that activities are consistent with protecting public health and safety.

These agencies are also required to report actions taken to implement the Order to the Chairman of the Council on Environmental Quality annually. The Chairman of the Council on Environmental Quality is also required to lead a new White House Conference on Cooperative Conservation with members of these agencies to exchange advice relating to cooperative conservation and ensure that the Conference relies on individual advice rather than consensus or deliberation.

Environmental groups denounced the order as an attempt to weaken environmental protections. The order does not require congressional approval.

## Tow Truck Regulation

Legislation to bring towing companies under local government authority introduced. Reps. Jim Moran (D-VA), Doug Bereuter (R-NE), and Louise Slaughter (D-NY) recently introduced HR 4860, known as the "State and Local Predatory Towing Enforcement Act of 2004" to eliminate predatory towing. This legislation is intended to close a loophole in federal law that has allowed tow truck companies to qualify as interstate carriers, which exempts them from state and local regulation.

In his introductory remarks, Moran suggested the need to "rein in rogue towing operations that continue to harass and take advantage of local residents." With the elimination of the Interstate Commerce Commission in 1995, the tow truck industry has not been regulated. The bill, according to Moran, will allow state and local governments to regulate non-consensual towing and protect citizens against companies that do not conduct safe business practices.

The bill, which was referred to the House Committee on Transportation and Infrastructure, is not expected to be addressed this year given the short legislative schedule.

## Human Services

Legislation to provide more money for suicide prevention expected to be signed into law by the President. Several hours before the Senate approved the measure by voice vote, the House voted 352-64 to approve the bill (S 2634) which is named after Garrett Lee Smith, son of Senator Gordon H. Smith (R-OR), who killed himself the day before his 22<sup>nd</sup> birthday.

In addition to establishing grants for suicide intervention programs directed at children aged ten and over and a grant program for suicide prevention programs on college campuses, the bill authorizes the creation of a technical assistance center to help local and state providers of suicide

prevention programs. The bill contains language clarifying that parents who object to their children's participation for moral or religious reasons would face no legal repercussions. Language specifying that nothing in the bill would allow school officials to require a student to take medication was also included.

The measure would allow Congress to appropriate \$82 million over three years for the program. States could receive up to \$55 million through grants, while colleges are eligible for up to \$15 million and another \$12 million is available to be spent on technical assistance.

## Grant Opportunities

**Department of Homeland Security, September 1:** The Office for Domestic Preparedness is offering Fire Prevention and Safety Grants as part of their Assistance to Firefighters Grant Program. The grant is designed to promote prevention of fire-related injuries and safety to high-risk target groups including children, seniors, and firefighters. Priority will be given to projects targeting children, seniors, firefighters or other high-risk groups. National, regional, state, local, and community organizations with fire prevention experience (including fire departments) whether private, non-profit, or public are eligible to apply. There is \$27.5 million available for these grants and there is a 30 percent cash match required. In 2003, most grants were between \$10,000 and \$60,000. Applications must be submitted online between September 1, 2004 and September 30, 2004 (applications by mail are strongly discouraged). ([grants.gov](http://grants.gov))

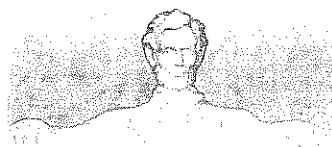
**Environmental Protection Agency, September 2:** The Office of Children's Health Protection announced the Building Health Professional Capacity to Address Children's Environmental Health grant. The grant is designed to fund projects that increase the number of health professionals who are able to address the spectrum of children's environmental health issues in their practices,

communities, and academic settings. The grant focuses on multi-state, national, or international education programs for health professionals that focus on understanding, diagnosing, and developing prevention messages for children's environmental health issues (i.e. air pollution, tobacco smoke, ultraviolet radiation, pesticides, etc.). Local governments are eligible to apply in a three-stage application process. Letters of intent are due October 25, 2004. Among these letters, the EPA will invite certain applicants to send a full application due by December 13, 2004. Two or three grants will be awarded for \$100,000 to \$150,000 over a two-year period. There is no cost-sharing or matching. (Federal Register pp. 53695-53704)

**Environmental Protection Agency,**

**September 7:** The Office of Brownfields Cleanup and Redevelopment is accepting applications for FY2005 Brownfields Assessment, Revolving Loan Fund, and Cleanup Grants. The funding is designed to assist projects to assess, clean up, and redevelop sites damaged by the presence of hazardous substances, pollutants, or contaminants. The Revolving Loan Fund Grants provide funding for the recipient to provide subgrants to carry out cleanup of brownfield sites over a five-year performance period. There is a \$1 million limit and a 20 percent cost share associated with this funding. Cleanup Grants provide funding for the recipient to clean up no more than five brownfield sites. There is a \$200,000 limit per site, and a 20 percent cost share associated with this funding. Assessment Grants provide funding for the recipient to inventory, assess, cleanup, and plan redevelopment and community involvement of brownfield sites over a two-year performance period. The grant is divided between Community-Wide (classes or categories of sites) and Site-Specific Assessment Grants, although a recipient may apply for both with limitations on funding amounts. There is no cost share associated with this funding. The EPA estimates that it will have \$100 million available to make 200 grant awards, but the final amount will not be determined until Congress has approved the EPA FY2005 budget. The deadline for proposals is

November 12, 2004. ([grants.gov](http://grants.gov))



# CITY OF LINCOLN NEBRASKA

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Engineering Services  
Public Works and Utilities Department  
Allan Abbott, Director  
531 Westgate Blvd.  
Suite 100  
Lincoln, Nebraska 68528  
402-441-7711  
fax: 402-441-6576

## M e m o r a n d u m

RECEIVED

SEP 13 2004

CITY COUNCIL  
OFFICE

**To:** RoseAnn Dowty, Council Members  
**From:** Karl Fredrickson *KF*  
**Subject:** Project Number 700034  
Williamsburg North Pond Sediment and Disposal  
**Date:** September 10, 2004  
**cc:** Allan Abbott, Roger Figard, Nicole Fleck-Tooze, Karen Sieckmeyer,  
Maggie Kellner

A meeting hosted by Glenn Friendt was held with the Williamsburg Homeowners Association and Cape Charles Court Homeowners on August 31, 2004. It was well attended with myself and our Project Manager, Brian Dittman also attending.

Joe Hampton, Brian and I described the history behind the pond and where we were with the contract. The major concern was the progress the City's contractor was making and whether the City was going to finish the project. The contractor has not made good progress, however, the City does intend to finish the project according to plans drawn up and reviewed by the Association. I assured the group that we would have the contractor finish the work or find one who would (call in bonding, etc.). I described on the depth survey where work still remained to be accomplished to the group. The group gave their nod of consensus to the work remaining and that it would be satisfy the agreement. It was agreed that Brian and I would work through Glenn Friendt and Joe Hampton on issues in order to reduce the chances of miss information.

After discussions with Joe Hampton we did direct the contractor to remove additional soil from the east side of the pond this week. As of today the work is nearing completion and Brian will be reviewing to see that the agreed upon work is indeed complete and will confirm with Glenn and Joe.

LINCOLN

The Community of Opportunity

Karl

Referred to:

Allan Abbott, Public Works  
& Utilities Director

REQUEST FOR INFORMATION  
COUNCIL OFFICE

4080169

By: Terry Werner - #135  
(Council Member)

August 11, 2004  
Date

REQUEST: RE: Dredging of Williamsburg Lake

Would you please respond to the attached E-Mail and send me a copy of the response. Please respond to Terry with copy to RoseAnn Dowty. Thanks.

-Terry Werner

cc: RoseAnn Dowty  
Lake Committee  
3414 W. Cape Charles Road (16) - **FOR YOUR INFORMATION - COPY OF REQUEST  
SENT BY COUNCIL MEMBER, NO RESPONSE REQUIRED FROM YOU**

Mayor's Office

RESPONSE (Indicate action taken):

By: Fredrickson

Date

9-10-04

Completed via Memo

COMMENTS:

PLEASE RESPOND WITH 15 COPIES to the Council Office/tjg



Susan Hale  
<sh55351@alltel.net>

08/10/04 05:23 PM

To: Bogenreif <tbogenreif@ci.lincoln.ne.us>  
cc: "Werner, T." <twernerlink@aol.com>  
Subject: RFI-Williamsburg Lake

*RFI #135*

To: Allan Abbott, Public Works Dept.

RECEIVED

AUG 11 2004

CITY COUNCIL  
OFFICE

REQUEST FOR INFORMATION  
CITY COUNCIL OFFICE

From: Terry Werner, City Council

Date: Aug. 10, 2004

RE: Dredging of Williamsburg Lake

Please respond to the following narrative and questions.

Several (perhaps 12?) years ago, Hampton Dev. and the city apparently had an agreement that the city would dredge the Williamsburg Lake in 2002, and the lake would be returned to, or left in, its original configuration. In the interim, the city was placing money into escrow to fund the project, perhaps reaching as much as \$400,000.

The city did not begin work on the project until Feb. of 2004 after awarding the contract to the lowest bidder (reportedly for approximately \$240,000). The new contract apparently provided for a specified amount of silt to be removed, rather than complying with the original commitment to the community that the lake would be returned to, or left in, its original configuration. It also is reported that the contractor removed silt from the middle of the lake, but not from the lake's edges.

Additionally, the condition in which the lake was left following the dredging appears to present a very real danger to the community. Recently, a young man with his family on a walk sunk into silt up to his waist along the lake's edge. Emergency personnel had to be called to extract the young man; one of the responders, too, was pulled into the silt.

- 1) Did the city agree years ago to dredge Williamsburg Lake and return it to, or leave it in, its original configuration?
- 2) How much had the city accumulated in escrow to fund the dredging project?
- 3) Who was the contractor completing the recent dredging?
- 4) How much was that contractor paid?
- 4) If a balance remains in escrow, is it being held for future work on the lake?
- 5) Did the recent dredging contract provide for removing a specified amount of silt and not require ensuring the lake was left in its original configuration?

6) Is the department aware of the obvious dangerous depth of silt along the lake's edges, as evidenced by the recent accident?

7) What plans are in the works to: (a) return the lake to its original configuration as understood by area residents, and

(b) remove the silt along the edges?

Thank you for your response.

**Respond To:** Terry Werner

cc: Ms. RoseAnn Dowty  
Lake Committee  
3414 W. Cape Charles Rd.  
Lincoln, NE 68516

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RESPONSE (Indicate action taken): By: \_\_\_\_\_ Date: \_\_\_\_\_

Allan Abbott, Public Works Director  
Referred to: /Marvin Krout, Planning Director

REQUEST FOR INFORMATION  
COUNCIL OFFICE

4080187

By: Glenn Friendt - #39  
(Council Member)

August 17, 2004  
Date

REQUEST: RE: Williamsburg Lake Dredging

Would you please respond to the attached Memo and send me a copy of the response. Please  
respond to me. Thanks.

-Glenn Friendt

cc: Lin Quenzer, Ombudsman, Mayor's Office  
Neighbors

Mayor's Office

RESPONSE (Indicate action taken):

By:

Karl Fredrickson

Date

9/10/04

Completed via letter memo

COMMENTS:

PLEASE RESPOND WITH 15 COPIES to the Council Office/tig





# CITY COUNCIL OF LINCOLN NEBRASKA

555 South 10th Street • Lincoln, NE 68508 • 402-441-7515

FAX: 402-441-6533 • E-MAIL: council@ci.lincoln.ne.us

GLENN FRIENDT  
City Council Member At Large

DATE: August 16, 2004 *RFI #39*  
FROM: Glenn Friendt  
TO: Allan Abbott, Director of Public Works and Utilities  
Marvin Krout, Planning Director  
RE: RFI / Williamsburg Lake Dredging

RECEIVED  
AUG 17 2004  
CITY COUNCIL  
OFFICE

As a new resident of the Williamsburg and Cape Charles neighborhood I have been approached by some of my neighbors to look into issues related to dredging of the Williamsburg lake. I have received numerous questions, comments and opinions regarding the necessity to do something about what has been described as the "mess" regarding the lake.

Over the past year there have been changes in composition of the neighborhood and changes in committee leadership that may have affected expectations and perceptions of what needs to be done in terms of lake maintenance.

Clear and direct communication may be at the heart of these concerns. Thus I am offering to facilitate a lunch meeting at the Landing in Williamsburg within the next 1-2 weeks that could provide some clarification to residents in terms of:

1. Discussion of history and background of the lake
2. Current status of the dredging situation
3. A projection of what needs to happen and when

It is my hope that if we can get everyone together to discuss these issues it will lead to an amicable resolution of the situation. Having everyone hear the same information at the same time should help.

Please contact my City Council office with your response and let me know when a meeting with the neighbors can be arranged.

Thank you.

CC: Lin Quenzer  
Neighbors

RECEIVED

Allan Abbott, Public Works Director

SEP 13 2004

Referred to: \_\_\_\_\_

CITY COUNCIL  
OFFICE

REQUEST FOR INFORMATION  
COUNCIL OFFICE

4090004

By: Terry Werner - #137  
(Council Member)

August 31, 2004  
Date

REQUEST: RE: 11<sup>th</sup> & "O" Streets Intersection

Would you please respond to the attached E-Mail and send me a copy of the response. Please  
respond to me. Thanks.

-Terry Werner

cc: Mayor Coleen Seng

Mayor's Office

RESPONSE (Indicate action taken):

By: Scott Opler

Date

9-3-04

Memo

COMMENTS:

PLEASE RESPOND WITH 15 COPIES to the Council Office/tjg



Susan Hale  
<sh55351@alltel.net>

08/31/04 03:34 PM

To: Bogenreif <tbogenreif@ci.lincoln.ne.us>  
cc:  
Subject: RFI-11th & O

*RFI 1137*

To: Allan Abbott, Public Works Dept.

**REQUEST FOR INFORMATION  
CITY COUNCIL OFFICE**

**From:** Terry Werner, City Council

**Date:** Aug. 31, 2004

**RE:** 11th and O Streets Intersection

I am aware that several people have registered complaints and concerns regarding the intersection of 11th and O Streets related to the amount of time given for pedestrians to cross the streets. Most recently I have received a complaint from a visually impaired couple who report there simply is not enough time allowed for them to safely cross in the area.

Please advise me of possible solutions. Is there any reason the time allowed for crossing cannot be increased?

Thank you for your response.

Respond To: Terry Werner

cc: Mayor

---

RESPONSE (Indicate action taken): By: \_\_\_\_\_ Date: \_\_\_\_\_

RECEIVED  
AUG 31 2004  
CITY COUNCIL  
OFFICE

# M e m o r a n d u m

---

**To:** Terry Werner, City Council

**From:** Scott Opfer, Public Works & Utilities Department *SAO*

**Subject:** 11th & 'O' Street - Pedestrian Complaints

**Date:** September 3, 2004

**cc:** Coleen Seng, Allan Abbott, Roger Figard, Randy Hoskins, Nicole Fleck-Tooze, Karen Sieckmeyer

This memo is in response to your request for information regarding pedestrian complaints & concerns about the amount of time given for pedestrians to cross 'O' Street at 11th Street. We have had a few complaints regarding this location, however, most have come from the same person. His contention is that in October of 2002, when we evaluated and modified the signal timings in the downtown area, we shortened the amount of time given to pedestrians to cross 'O' Street at 11th. The fact of the matter is that we did not shorten the pedestrian time. Both prior to and since October 2002, we have given pedestrians 21 seconds to cross 'O' Street, which is 51 feet wide from curb to curb. The change we did make is that prior to October 2002, the pedestrian was automatically given 21 seconds to cross 'O' Street every cycle of the light. We now only give the 21 seconds if a pedestrian is present, requiring the person to push the "Pedestrian Push Button". If the button is not pushed, the "WALK" indication does not come up and there is not enough time to cross 'O' street. This method of operation is very similar to the way we operate several traffic signals where the side street carries far less traffic volume than the major street. In those cases, if side street traffic is not present, we give the extra time to the main street. This allows us to reduce the amount of congestion by improving the coordination between traffic signals. As is the case across the community, the amount of time given to the pedestrian, is the first thing considered when setting the timing and we never violate that amount of time. However, by operating locations like 11th & 'O' Street the way we do, we can be more efficient by moving more vehicles when pedestrians are not present, which provides for an overall safer 'O' Street for everyone, both pedestrians and vehicles. If we were to give more time for pedestrians, even a couple seconds can make a tremendous difference in how well we can move traffic, thus increasing the vehicle stacking and delay and in the end, frustrating more drivers than we already do, creating a less safe operation for all. In the past ten years, we have had four (4) reported vehicle/pedestrian crashes at this location, none of which were even closely related to the amount of time given to the pedestrians to cross 'O' Street.

As far as possible solutions for the visually impaired community, as mentioned above, we are providing 21 seconds of total time for pedestrians to cross. This time consists of 5 seconds of "WALK" time and 10 seconds of "FLASHING DON'T WALK" time, plus there is 3 seconds of additional time when the traffic signal turns to "YELLOW" for southbound traffic and 3 seconds of "ALL RED". This "ALL RED" time serves as a buffer to allow both late arriving southbound vehicles and north/south pedestrians to clear the intersection prior to the light changing to green for east/west traffic on 'O' Street. If you calculate the walking speed needed to cross 'O' Street, using

Terry Warner  
Page 2  
September 10, 2004

the 21 seconds to cross 51 feet, you come up with approximately 2.4 ft./second. The Americans with Disabilities Act (ADA) has suggested the use of 3 ft./second for locations with high volumes of disabled individuals crossing the street. Also, we have used Audible Pedestrian Signals in the past at 12th & 'O' Street and due to an overwhelming response from the visually impaired community stating that these were more of a distraction than an aid, we removed them. We do not have a problem with again looking at tools such as Audible Pedestrian Signals for the visually impaired. However, we feel we would need something in writing from the League of Human Dignity and the Visually Impaired Rehabilitation Services endorsing such a tool.

Finally, we understand the challenges of crossing streets by the visually impaired, the elderly and physically disabled individuals and pedestrian safety is of the utmost importance to us. However, unless a location has a high frequency of these individuals crossing on a daily basis, we have to address the overall traffic needs. As is the case at 11th & 'O' Street, we do provide additional time at locations where there are several elderly or disabled people crossing per day and at all elementary school crossings where we have several small people crossing each day. We use 3.5 ft./second or less when calculating pedestrian time at these locations where at most other signalized locations, we calculate the pedestrian time using a walking speed of 4 ft./second. Also, we will gladly work with any person to educate them on how our signals are operating on any particular route they routinely take. We can make recommendations on where best to cross major streets and at least make them aware of how the signals operate during different times of the day so they know what to expect.

Please let us know if we can answer any further questions.

Thank you.



**CITY OF LINCOLN**  
**NEBRASKA**

**MAYOR COLEEN J. SENG**  
www.ci.lincoln.ne.us

Engineering Services  
Public Works and Utilities Department  
Allan Abbott, Director  
531 Westgate Blvd.  
Suite 100  
Lincoln, Nebraska 68528  
402-441-7711  
fax: 402-441-6576

September 13, 2004

Danny Walker, President  
South Salt Creek Community Organization  
427 'E' Street  
Lincoln, NE 68508

Dear Mr. Walker:

Your letter to City Councilman Jonathan Cook regarding the condition of the sidewalk approach to the 1st and "J" Street pedestrian underpass was forwarded to me for review.

The Public Works & Utilities Department has reviewed the condition of the sidewalk along S. 1st Street south of the pedestrian underpass. The Street Operations Division has undertaken action to remove the dirt and debris which has accumulated upon the sidewalk. They have also identified repairs to the overpass to minimize the water which flows from the overpass.

The Engineering Services Office will also work jointly with Burlington Northern Railroad in resolving the damage that has been caused to the sidewalk from vehicles crossing. This effort will include identification of an appropriate location for their vehicles to access the railroad corridor.

If you have additional questions regarding this situation, please contact the Street Operations Division at 441-7701 and the Engineering Services Division at 441-7711.

Sincerely,

Harry Kroos  
Engineering Services

cc: Mayor's Office  
City Council  
Allan Abbott  
Roger Figard  
Karl Fredrickson  
Andy Edwards Jr.,  
Karen Sieckmeyer  
Maggie Kellner

RECEIVED

SEP 13 2004

CITY COUNCIL  
OFFICE

Cook  
RFI #117

**LINCOLN**

*The Community of Opportunity*

Referred to: \_\_\_\_\_

REQUEST FOR INFORMATION  
COUNCIL OFFICE

4080188

By: Jonathan Cook - #117  
(Council Member)August 17, 2004  
Date

REQUEST: \_\_\_\_\_ RE: Sidewalks

Would you please respond to the attached Letter and send me a copy of the response. Please  
respond to Danny Walker with copy to me. Thanks.

-Jonathan Cook

cc: Danny Walker  
President, South Salt Creek Community Organization  
427 "E" Street (08) - **FOR YOUR INFORMATION - COPY OF REQUEST SENT BY  
COUNCIL MEMBER, NO RESPONSE REQUIRED FROM YOU**

Mayor's Office

RESPONSE (Indicate action taken):

By:

Harry Kroos

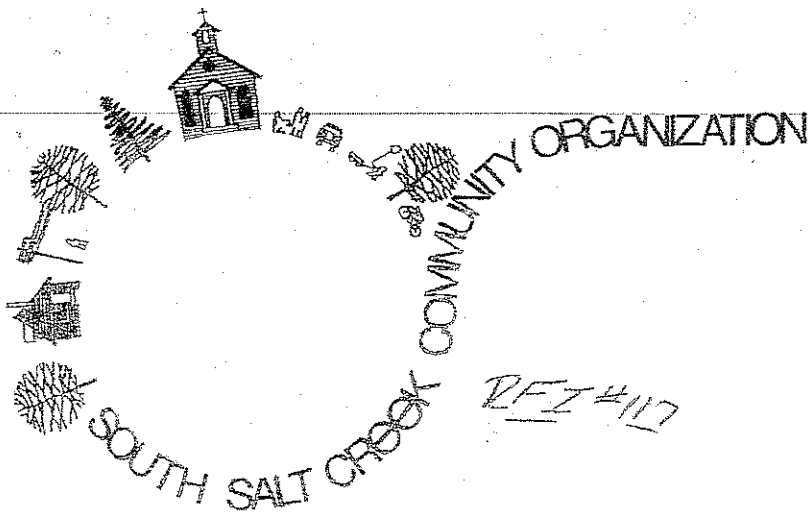
Date

9-13-04

letter

COMMENTS:

PLEASE RESPOND WITH 15 COPIES to the Council Office/tjg



City Council Members  
Lincoln, Nebr.  
August 16, 2004

SUBJECT: SIDEWALKS

RECEIVED  
AUG 17 2004  
CITY COUNCIL  
OFFICE

Dear Council Members:

Please consider this a **FORMAL COMPLAINT** filed in behalf of the South Salt Creek Community Organization regarding the condition of the sidewalk approach (**south side**) to the 1<sup>st</sup> and "J" Street pedestrian underpass. (**Attachment "A"**)

This problem was supposed to be corrected by Wynn Hjermstadt approximately 2 to 3 years ago and to this date no action has been taken to correct this very dangerous problem.

To further worsen the problem, heavy equipment travels over a portion of the sidewalk quite often. Also, keep in mind; the elaborate emergency vehicle access route might also cross this sidewalk in a given situation with fire and rescue equipment. (**If they can make it down the hill**).

Also, debris from the **West Bypass Overpass** drains down onto the sidewalk.

It is totally ridiculous to allow sidewalks in this condition to exist.

It should not be to much to ask for repairs to be made **VERY SOON** and if heavy vehicles are going to cross the sidewalk then lets install a proper sidewalk crossing.

Thank you

Danny Walker

President  
South Salt Creek Community Organization

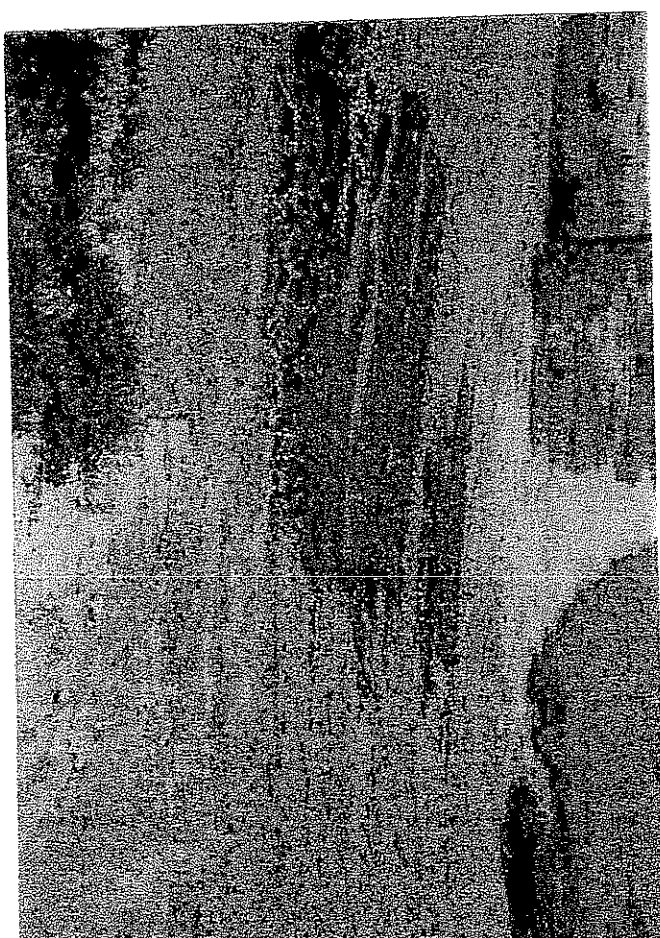
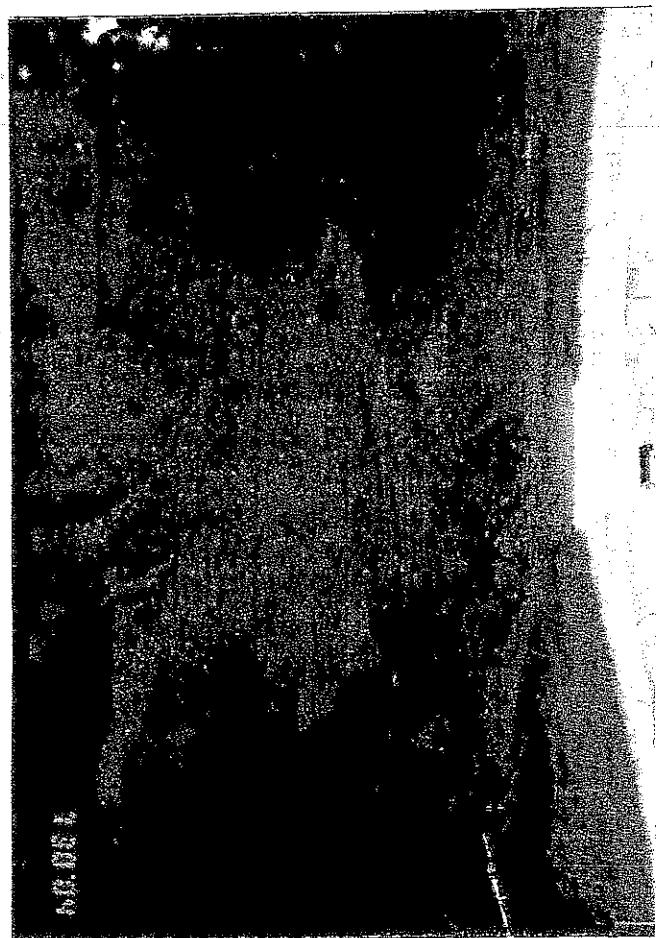




7 • MO • 04



ATTACHMENT "A"



RECEIVED

Karl Fredrickson, Public Works &  
Referred to: Utilities Department

SEP 13 2004

REQUEST FOR INFORMATION  
COUNCIL OFFICE

4090017

By: Annette McRoy #154  
(Council Member)

September 1, 2004  
Date

REQUEST: RE: North 14<sup>th</sup> Street Improvements

Please see attached Letter. Can the plans be changed or delayed? Response to Judy & Roger  
Groetzinger and Annette. Thanks.

-Annette McRoy

cc: Judy & Roger Groetzinger  
6321 North 14<sup>th</sup> Street (21) - **FOR YOUR INFORMATION - COPY OF REQUEST  
SENT BY COUNCIL MEMBER. NO RESPONSE REQUIRED FROM YOU**

Mayor's Office

RESPONSE (Indicate action taken):

By: K. Fredrickson

9-9-04  
Date

Letter ✓

COMMENTS:

PLEASE RESPOND WITH 15 COPIES to the Council Office/tjg

RFI# 15

My husband and I both visited with you after the North 14<sup>th</sup> St Improvements Public Meeting was held at Goodrich School on April 17, 2004. The plans presented will cause 40 feet of our front yard to be used for the widening of 14<sup>th</sup>, but their plan now shows that the entrance to Pennsylvania Ave will be even more than 40 feet on the north side of our front yard if and when Pennsylvania Ave will be added to the entrance. We are asking that the City Council not allow this to be put in until Pennsylvania Ave goes west.

Although I have been told this cannot be changed since plans are already done, every time I see one of Olsson Associates drawings, it says in the upper right hand corner "PRELIMINARY PLAN NOT FINAL - SUBJECT TO CHANGE". I truly believe that Karl Frederickson has tried to help with the problem but it appears that Olsson Associates is telling him it cannot be done.

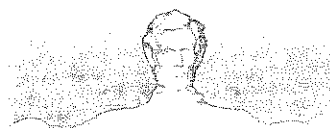
Also, since there are no houses built yet on the east side of 14<sup>th</sup> St and we are wondering if there is any possibility that the road be moved further east of 14<sup>th</sup> St so that the property on the west side of 14<sup>th</sup> St not be damaged. The five houses and church on the west side of 14<sup>th</sup> St are not in the City Limits and after inquiring, we cannot even be connected to city water.

We don't know quite how to go about this but we hope we are taking the correct steps in contacting your about this. If there is any possibility, we hope you can come to our house and see the problems this could cause. You may contact me at the telephone Numbers shown below.

Sincerely,

Judy and Roger Groetzinger  
6321 North 14<sup>th</sup> St  
Lincoln NE 68521  
Home - 402-742-0966  
Work - 402-323-2379

RECEIVED  
SEP 01 2004  
CITY COUNCIL  
OFFICE



# CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Engineering Services  
Public Works and Utilities Department

Allan Abbott, Director

531 Westgate Blvd.

Suite 100

Lincoln, Nebraska 68528

402-441-7711

fax: 402-441-6576

September 9, 2004

Judy and Roger Groetzinger

6321 N. 14<sup>th</sup> Street

Lincoln, NE 68521

RE: Project No 701760  
North 14th Street, Superior to Alvo

Dear Mr. and Mrs. Groetzinger:

I have received your inquiry through Councilwoman Annette McRoy's office regarding improvements along North 14<sup>th</sup> Street.

## N. 14<sup>th</sup> Street Alignment

The current alignment for North. 14<sup>th</sup> Street has been studied very closely by our consultant. Alternative alignments, such as shifting the road to the east, have been evaluated and the impacts associated with these alignments identified. There are existing physical constraints such as the power line that runs along the east side of 14<sup>th</sup> Street, north of Humphrey Road that greatly reduces the distance of an eastward shift. In fact the maximum shift due to the physical constraints could not exceed 16 feet.

This alternative alignment was then studied to determine the impacts that would be associated shifting the arterial street. The land directly to the east of 14<sup>th</sup> Street is currently in the design phase for residential development which is in the final plat phase of design. This shift would directly impact approximately 22 properties along the east side of 14<sup>th</sup> Street and would cause the need for the redesign for a good majority if not all of the development. This study concluded that a shift to the east would not be economically feasible due to the high costs associated with the properties on the east side of 14th Street.

## Pennsylvania Avenue

Pennsylvania Avenue to the west is in the current Comprehensive Plan for projects to be constructed by the year 2025. The alignment is set so that it is directly opposite the east leg of Pennsylvania Avenue. There are advantages to building it now such as construction costs will be lower and disruption to 14<sup>th</sup> Street traffic during the construction of Pennsylvania will be greatly reduced if this intersection is constructed now rather than later. It will also allow plantings to be installed sooner and in a location that would not be disturbed in the future. We will continue to investigate whether we need to construct this leg with this project or defer it until later. If we defer the construction we would still intend to acquire the right-of-way for the future construction with this project.

# LINCOLN

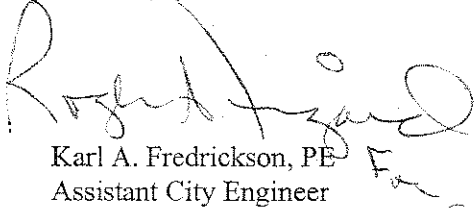
*The Community of Opportunity*

### **Preliminary Plans**

Olsson Associates plans are marked "PRELIMINARY PLAN NOT FINAL - SUBJECT TO CHANGE" for good reason. We do not want to give anyone the false idea that the plans are final. Plans are not final until the design is complete and have been signed and sealed by a professional engineer. Projects are constantly under review during the design phase and do often change.

Thank you for your interest in this project and your participation in the public involvement efforts. We appreciate the feedback we receive from the public and do evaluate impacts to private property and make changes when they are prudent. Safety for drivers and pedestrians and cost to the taxpayers are considered when evaluating comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Karl A. Fredrickson". The signature is fluid and cursive, with a large initial "K" and "F".

Karl A. Fredrickson, PE  
Assistant City Engineer

cc: Annette McRoy  
Council Members  
Allan Abbott  
Roger Figard  
Nicole Fleck-Tooze  
Karen Sieckmeyer  
Project File



CAMPJON@aol.com

09/12/2004 11:38 AM

To: goodbook267@hotmail.com ("E Jordan")  
cc: jray@ci.lincoln.ne.us (City Council)  
Subject: Re: Anti-Patriot Act Resolution

Elizabeth:

Thank you for your email objecting to Lincoln City Council consideration of a resolution recommending that Congress repeal portions of the Patriot Act.

I concur with your assessment. On previous occasions I asked my colleagues to not introduce this measure as it is not within the jurisdictional domain of our legislative responsibilities and duties. Unfortunately, several have seen fit to proceed.

Thus, Monday, September 13, 2004, the City Council will proceed with hearings, end up with a 4-3 vote passing the resolution and, based upon comments in the media, Mayor Seng will sign the measure.

I am sorely disappointed that my colleagues are not addressing matters of greater concern. It is especially noteworthy that on Tuesday, September 14, 2004, the City of Lincoln holds a special election to pass a bond issue to catch up with its street needs. Perhaps if the elected officials of Lincoln paid more attention to street construction and less to issues out of our control, the City would not find itself holding a special election.

Best regards,

Jon Camp

--

Jon Camp  
Lincoln City Council  
City Council Office: 441-8793  
Constituent representative: Darrell Podany

Subj: Anti-Patriot Act Resolution  
Date: 9/9/2004 2:42:34 PM Eastern Daylight Time  
From: "E Jordan" <goodbook267@hotmail.com>  
To: jcamp@ci.lincoln.ne.us  
Sent from the Internet (Details)

Dear Councilman Camp:

I am writing to oppose even the introduction of the Anti-Patriot Act resolution to the council. The citizens of Lincoln elected their city council members to represent them at the city level, on the city council, about matters pertaining to the city and its governance. We did not elect them to be our representatives at the federal level. At the next election, I imagine the candidates will focus on local, Lincoln issues. Based on these type of resolutions, any citizen of Lincoln will need to ask questions as to the candidates' positions on Social Security, Department of Defense weapons, Iraq, Iran, North Korea, Mexican border disputes, Wyoming-Nebraska water disputes, abortion, gay marriages, welfare reform, federal income tax

increases, federal income tax decreases, ATM tax, pork-barrel projects to any one of 50 states, NAFTA, what their position would be on future "Waco situations," "Elian Gonzalez-type situations, Haitian refugees, etc., etc., etc.

If one uses the argument that the Anti-Patriot Act affects the citizens of Lincoln, and therefore concerns the city council, one can also use that argument to justify resolutions involving any one of the above situations. State issues affect Lincolnites. Federal issues affect Lincolnites. What France, Germany, and any other nation in the world does affects Lincolnites.

I am strongly opposed to any council action on this resolution.

Elizabeth Varvel

TO: Joan Ray, Lincoln City Council

Please distribute this email Monday morning to my City Council colleagues.



CAMPJON@aol.com

09/12/2004 11:21 AM

To: jray@ci.lincoln.ne.us (City Council)

cc:

Subject: Fwd: Initiative

FYI

--

Jon Camp  
Lincoln City Council  
City Council Office: 441-8793  
Constituent representative: Darrell Podany

----- Message from Nkktab@aol.com on Fri, 10 Sep 2004 07:11:40 EDT -----

To: jcamp@ci.lincoln.ne.us

Subject: Initiative

Dear Mr. Camp:

Have your colleagues gone absolutely nuts? After the smoking fiasco, now the Lincoln City Council wants to put forth a measure decrying the patriot act! Please, whatever you can do to bring some sensibility back into this bunch would be most appreciated, how you can sit through meetings with this constant drive taking place and not go insane is beyond me.

Keep up the good work,

Neal Bloomquist

5909 So 72

Lincoln





CAMPJON@aol.com

09/12/2004 11:44 AM

To: epearlst@unlserve.unl.edu (Edgar Pearlstein)  
cc: jray@ci.lincoln.ne.us (City Council)  
Subject: Re: Defense of Liberty resolution

Edgar:

Thank you for your email supporting the Patriot Act resolution.

I do not take issue with your comments. However, I am deeply disappointed that my City Council colleagues choose to take valuable time to discuss an issue that is not within its jurisdictional domain.

If individual Council wish to discuss the Patriot Act, then let them do so on their own time and at their own expense. We were elected to represent the citizens of Lincoln and conduct the City of Lincoln's affairs. If we were successfully fulfilling our duties, the City would not be holding a special election on Tuesday, September 14, 2004, to address deficient street needs.

Edgar, while I do not always agree with your positions, I compliment you on your decades old passion for individual rights.

Best regards,

Jon

--

Jon Camp  
Lincoln City Council  
City Council Office: 441-8793  
Constituent representative: Darrell Podany

--

-----  
Subj: Defense of Liberty resolution  
Date: 9/12/2004 12:38:20 PM Eastern Daylight Time  
From: Edgar Pearlstein <epearlst@unlserve.unl.edu>  
To: campjon@aol.com  
Sent from the Internet (Details)

Dear Mr. Camp:

I'd rather take my chances with liberty, than with a police state.

Millions of Americans, both civilian and military, have taken great risks, and many thousands died, to get and keep our liberties. We can best honor them by resolutely holding on to those liberties, even if someone's idea of "safety" means to give them up.

I hope you will vote in favor of the resolution decrying certain features of the Patriot Act.

Even if the Bush administration uses their powers responsibly, what about future administrations?

Edgar Pearlstein  
632 Eastborough Lane  
Lincoln NE 68505  
epearlstein@unl.edu

RECEIVED  
SEP 13 2004  
CITY COUNCIL  
OFFICE

**RESOLUTION NO. A-\_\_\_\_\_**

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL** of the City of  
Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City  
Treasurer is hereby directed to hold said investments until maturity unless  
otherwise directed by the City Council.

**INTRODUCED BY:**

\_\_\_\_\_

**Approved:**

\_\_\_\_\_  
**Don Herz, Finance Director**

Approved this \_\_\_\_ day of \_\_\_\_\_, 2004

\_\_\_\_\_  
Mayor

**FINANCE DEPARTMENT  
TREASURER OF LINCOLN, NEBRASKA  
INVESTMENTS PURCHASED  
AUGUST 30 thru SEPTEMBER 10, 2004**

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SEP 13 2004  
CITY COUNCIL  
OFFICE

August 30, 2004 a \$5,000,000 investment matured in the Medium Term Pool and we immediately cashed and invested in a \$5,125,000 Treasury Cash Management Fund at Wells Fargo Bank in the Short-Term Pool. We also cashed a \$983,000 First American Government Obligation Fund at US Bank in the Short Term Pool and then reinvested in a \$50,000 Nebraska Public Agency Investment Trust at Union Bank.

August 31, 2004, we invested new money in the amount of \$2,202,000 in the Short Term Pool as follows:

\$25,000	Nebraska Public Agency Investment Trust at Union Bank
\$1,997,000	First American Government Obligation Fund at US Bank
\$180,000	Repurchase Agreement at Wells Fargo Bank

An investment of \$5,000,000 matured September 1, 2004, and we immediately cashed and reinvested that same amount in a FHLB, purchased at par, yielding 4.35%, maturing September 1, 2009, in the Medium Term Pool.

On September 1, 2004, we cashed funds from the Medium Term Pool for inter-fund borrowing to transfer ownership of the City's portion of the Street Light System. To be reimbursed by the general fund at a rate of 3.75% for the first five years of a ten-year inter-fund borrowing for a total of \$14,889,181.61.

September 3, 2004, we cashed a \$845,000 Treasury Cash Management Fund at Wells Fargo Bank in the Short Term Pool. We then invested in a \$1,553,000 First American Government Obligation Fund at US Bank in the Short Term Pool.

September 7, 2004, a \$3,000,000 investment matured and we immediately cashed along with a \$1,622,000 First American Government Obligation Fund at US Bank in the Short Term Pool. We then invested \$2,215,000 as follows:

\$2,200,000	Repurchase Agreement at Wells Fargo Bank
\$15,000	Nebraska Public Agency Investment Trust at Union Bank

September 8, 2004, we sold \$2,000,000 of a \$3,000,000 Freddie Mac CMO for the Police and Fire Pension, receiving proceeds and interest of \$2,070,000.

We also invested \$3,218,000 in the Short Term Pool as follows:

\$2,210,000	Repurchase Agreement at Wells Fargo Bank
\$1,008,000	First American Government Obligation Fund at US Bank

September 9, 2004, we cashed a \$512,000 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then invested in a \$165,000 Repurchase Agreement at Wells Fargo Bank.

September 10, 2004, we cashed a total of \$4,065,000 out of the Short Term Pool. We then invested \$5,010,000 as follows:

\$5,000,000	CD, purchased at par, rate of 1.59%, maturing September 30, 2004
\$10,000	Nebraska Public Agency Investment Trust at Union Bank

September 10, 2004, a \$2,000,000 investment matured in the Medium Term Pool and we immediately cashed and reinvested that same amount in a FHLB, purchased at par, yielding 4.43%, maturing September 10, 2009.

We respectfully request approval of our actions.

---

Don Herz, Finance Director

---

Melinda J. Jones, City Treasurer



# NEWS RELEASE

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Lincoln City Libraries - 136 S. 14<sup>th</sup> Street - Lincoln, NE 68508  
Phone: 402-441-8500; Fax: 402-441-8586; Email: [library@mail.lcl.lib.ne.us](mailto:library@mail.lcl.lib.ne.us)

**FOR RELEASE:** September 13, 2004  
**CONTACT:** Barbara Hansen, Administrative Aide  
**PHONE:** 402-441-8512  
**E-MAIL:** [b.hansen@mail.lcl.lib.ne.us](mailto:b.hansen@mail.lcl.lib.ne.us)

## ANNUAL LIBRARY BOOK SALE

*Bargains, Bargains, Bargains*

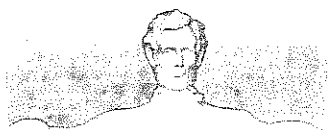
The Lincoln City Libraries' annual book sale will be held September 30<sup>th</sup> through October 3<sup>rd</sup> at State Fair Park, second level of the Grand Stand. The sale is open to the public with no admission fee. Hardcover books sell for \$1, paperbacks for 50 cents. Some unique items are specially priced.

Over 50,000 items for both children and adults including books, magazines, audio and videocassettes, will be for sale. The sale is open to the public during the following hours:

Thursday, September 30	4 p.m. to 8 p.m.
Friday, October 1	10 a.m. to 6 p.m.
Saturday, October 2	10 a.m. to 6 p.m.
Sunday, October 3	12 p.m. to 5 p.m.

###

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SEP 15 2004  
CITY COUNCIL  
OFFICE



## CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Parks and Recreation Department

Lynn Johnson, Director

2740 "A" Street

Lincoln, Nebraska 68502

402-441-7847

fax: 402-441-8706

"Making Lincoln a Better Place to Live"

COPY

September 10, 2004

Michael James, President  
Woods Park Neighborhood Association  
1455 So. 28<sup>th</sup> Street  
Lincoln, Nebraska 68502

RECEIVED  
SEP 15 2004  
CITY COUNCIL  
OFFICE

RE: Appraisal of Land of Woods Park being Transferred to the Health Department

Dear Mr. James:

Thank you for your letter of September 5 regarding determining the value of the acre of land of Woods Park that is being transferred to the Lincoln/Lancaster County Health Department for expansion of their office and clinic facility. I share your interest in seeing that the land is appropriately valued as we use the proceeds from the transfer to purchase replacement parkland.

During initial discussions regarding the potential of expansion of the Health Department facility to the east, staff within the Real Estate section of the Urban Development Department were consulted about the potential value of the land. They indicated that the land would likely be worth approximately \$270,000 based upon an assumption that the northern half-block area would be appraised at commercial land value, and the southern half-block would be appraised at residential land value. This assumption was guided by the current land use and zoning pattern on the south side of 'O' Street between 27<sup>th</sup> and 40<sup>th</sup> Streets. (Please find enclosed a copy of the current zoning map for this area of the city.) An independent appraiser completed an initial appraisal of fair market value for the one-acre of land. As indicated in your letter, this initial appraisal determined a fair market value for the property in excess of \$570,000 based upon an assumption of commercial value for the entire area. The appraiser was requested to review and validate this appraisal, and returned a revised determination of fair market value of \$317,740 utilizing a combination of commercial and residential land values. Based upon the advice of Urban Development Department staff and the predominant zoning and land use pattern in the area, I believe that the final appraisal represents fair market value for the one-acre area of Woods Park to be transferred to the Health Department.

There is a second check and balance in the process of "conversion" of parkland according to Federal guidelines for land subject to provisions of the Land and Water Conservation Fund program. The appraisal prepared by the local independent appraiser must meet Federal guidelines for preparation of the document, and is reviewed by real estate professionals employed by the National Park Service. This review is to determine that the methodology and

LINCOLN

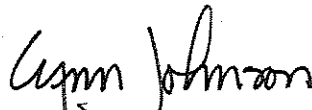
*The Community of Opportunity*

assumptions utilized in the appraisal are sound, and that the agency concurs with the determination of fair market value. The appraisal for the area of Woods Park has been submitted and is currently being reviewed.

I share your belief that parkland is a unique and valued community asset, and should only be sold in rare and unique circumstances. At such times, the community should be adequately compensated for the value of the parkland, and these funds should be reinvested in parkland that benefits community residents. As indicated earlier, I believe that the current appraisal represents a fair indication of value of the area of Woods Park to be transferred to the Health Department. Based upon this, I submitted a copy of the appraisal to the Nebraska Game and Parks Commission for review. I am awaiting concurrence from the Nebraska Game and Parks Commission and the National Park Service, and will let you know the outcome of their review.

Please phone me at 441-8265 with questions or comments. Again, thank you for your interest in assuring that the community is adequately compensated for the "conversion" of parkland in Woods Park.

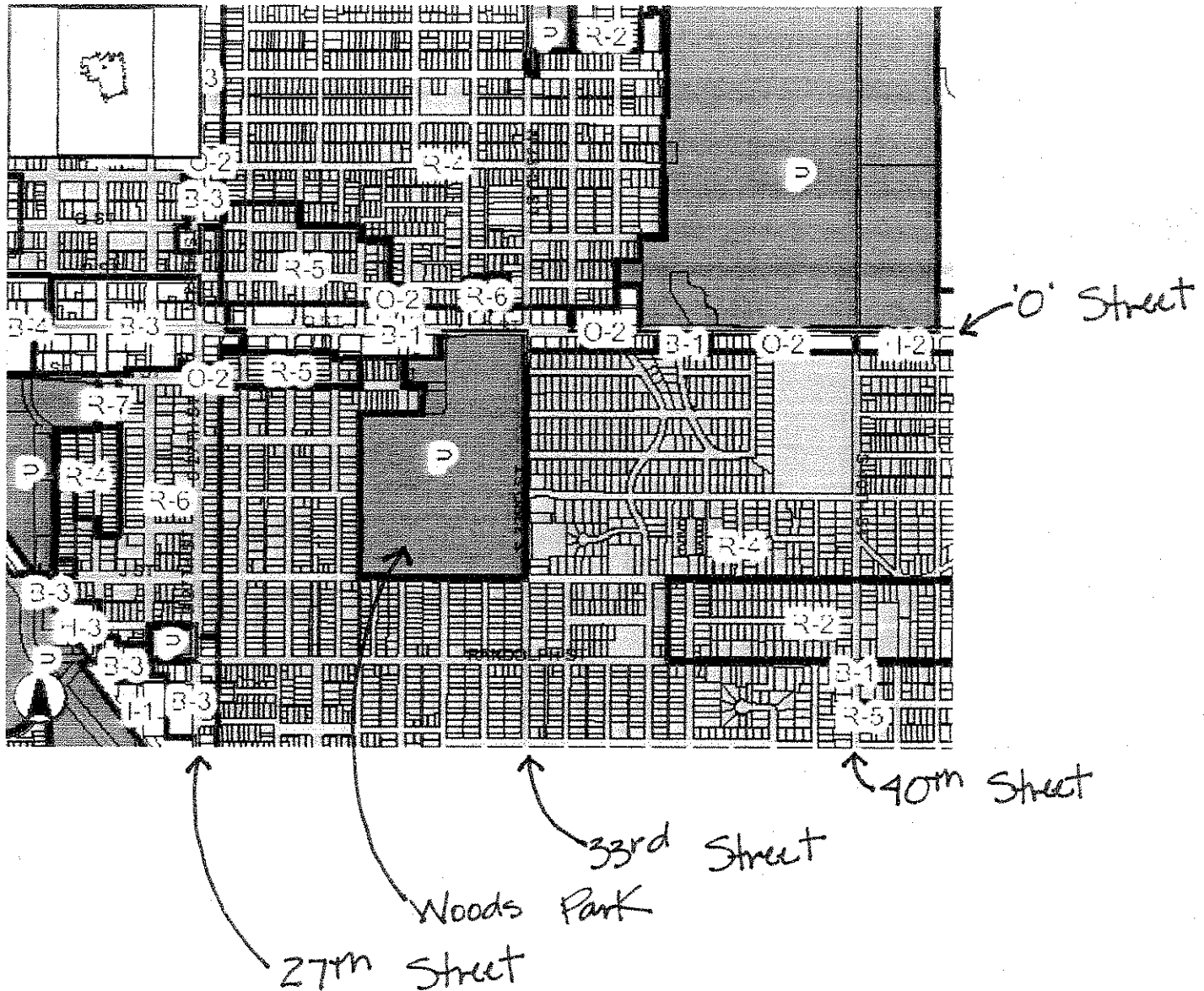
Sincerely,



Lynn Johnson  
Parks and Recreation Director

Cc: Mayor Coleen Seng  
City Council members ✓  
Neal Bedlan, Nebraska Game and Parks Commission

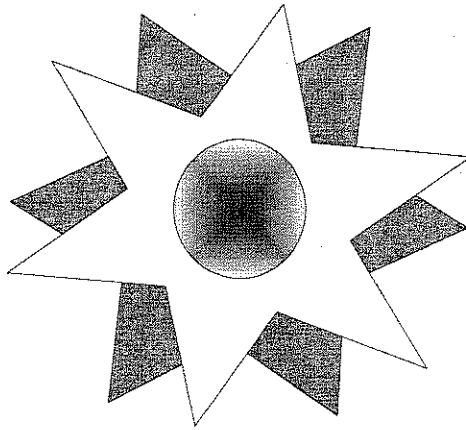




### Zoning Designations

- P. Public
- R- Residential
- O- Office
- B- Commercial

# CITY OF LINCOLN PAY PLAN



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SEP 15 2004  
CITY COUNCIL  
OFFICE

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FISCAL YEAR  
2004—2005

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\*Copy of this Report on file in the Council  
Office. T.G.

## Lincoln-Lancaster Planning Department

Memorandum

TO: Comprehensive Plan User

FROM: Stephen Henrichsen, Planning *SA*

DATE: September 7, 2004

SUBJECT: *Comp Plan Amendments through August 2004*

COPIES: Mayor's Office  
City Council  
County Board  
Planning Commission  
City/County Department Directors  
Lincoln Public Schools  
Lower Platte South Natural Resources District

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OFFICE

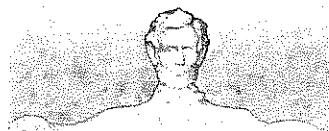
Enclosed are amended pages for the 2025 Lincoln/Lancaster County Comprehensive Plan with all amendments approved during the past fiscal year, generally from September 9, 2003 through August 31, 2004.

Please replace the following pages with the enclosed:

- iii through vi - Table of Contents
- vii and viii - List of Figures and Maps (Future Conditions)
- F 19, F 19a, F 19b, and F 20
- F 23 through F 26
- F 27 and F 28
- F 31 through F 36
- F 39 through F 42
- F 45 and F 46
- F 63 and F 64
- F 71 and F 72
- F 77 through F 84
- F 95 and F 96
- F 105 and F 106
- F 109 through F 112
- F 115 and F 116
- F 123, F 123a, F 124, and F 124a
- F 129 through F 134
- F 143 and F 144
- F 155 and F 156

The amended pages are also available on the Internet at [www.lincoln.ne.gov/city/plan/index.htm](http://www.lincoln.ne.gov/city/plan/index.htm).

*\*Copy of material on file in City Council office.*



# CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Lincoln-Lancaster County  
Planning Department  
Marvin S. Krout, Director  
Mary F. Bills-Strand, Chair  
City-County Planning Commission

555 South 10th Street  
Suite 213  
Lincoln, Nebraska 68508  
402-441-7491  
fax: 402-441-6377

September 1, 2004

Lois Hartzell  
Rembolt Homes  
5831 S. 58<sup>th</sup> Street, Suite A  
Lincoln, NE 68516

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SEP 13 2004

CITY COUNCIL  
OFFICE

RE: August 18, 2004 Housing Cost Comparison Letter

Dear Lois:

I am responding to your August 18, 2004 letter regarding the housing cost memorandum that was distributed by the Planning Department. Thank you for your comments on this matter. We always appreciate constructive criticism, and your letter has brought greater attention to these important issues.

First, your letter stated that the MLS areas in our memo are not similar. I believe both MLS areas in the memo generally contain the bulk of urban and acreage residential homes for each community, and was appropriate for the purpose of making comparisons in this case. Omaha has a much larger urban area where the potential housing supply is drawn, spanning surrounding communities and counties. Likewise, the Lincoln MLS areas included Lincoln and surrounding areas which contain the bulk of the stock of homes on acreages, from 84<sup>th</sup> Street on the west to 112<sup>th</sup> Street on the east.

Second, you noted the data for Lincoln did not single family attached homes. We had already collected that information for comparison purposes, and the findings show the cost gap between Lincoln and Omaha increased even more (see attached Table 4 and 5). We prepared all five tables originally, but did not include Table 4 and 5 since they did not add to the comparison. In retrospect, I can see how that might have been confusing to readers, and will be modified in the future.

Given the explanations above, we still think the housing cost comparison was valid and useful, and we are intending to include more comparisons like this in future editions of the "Indicators" report that we publish every spring. To make sure we had the best available information, we had asked Bob Moline, CEO of Home Services of Nebraska to review the information prior to sending to City Council. Thank you again for your review and please feel free to contact us in the future with your advice and comments.

Sincerely,

Marvin S. Krout  
Director of Planning

cc: City Council  
Mayor's Office  
Lincoln Board of Realtors  
Home Builders Association of Lincoln  
Bob Moline, Home Services of Nebraska  
File

Enclosures

F:\FILES\PLANNING\ECON\_DEV\Rembolt Homes Response Letter.wpd

LINCOLN

The Community of Opportunity

# Comparison of Lincoln and Omaha Housing Costs, 1998-2003

July 14, 2004

**Table 1: Existing House - Average and Median Sale Price**

Year	*Lincoln		**Omaha Area		Difference	
	Avg. Sale \$	Median \$	Avg. Sale \$	Median \$	Avg. Sale \$	Median \$
1998	110,000	94,000	117,337	99,464	(7,337)	(5,464)
1999	110,640	96,000	123,068	103,714	(12,428)	(7,714)
2000	116,725	103,000	133,250	113,590	(16,525)	(10,590)
2001	123,731	109,000	130,909	113,565	(7,178)	(4,565)
2002	130,204	115,000	137,060	118,164	(6,856)	(3,164)
2003	138,319	122,000	144,266	121,758	(5,947)	242

\*MLS Areas 11- 47; detached, single family residential only

\*\* Omaha Area includes Douglas and surrounding Counties; detached and attached single family

**Table 2: New House - Average and Median Sale Price**

Year	*Lincoln		**Omaha Area		Difference	
	Avg. Sale \$	Median \$	Avg. Sale \$	Median \$	Avg. Sale \$	Median \$
1998	167,208	157,948	198,730	174,963	(31,522)	(17,015)
1999	175,558	163,455	216,964	197,917	(41,406)	(34,462)
2000	182,589	166,384	219,037	202,367	(36,448)	(35,983)
2001	178,158	162,000	213,890	200,948	(35,732)	(38,948)
2002	185,217	167,553	226,129	206,885	(40,912)	(39,332)
2003	194,024	177,648	248,469	229,934	(54,445)	(52,286)

\*MLS Areas 11- 47; detached, single family residential only

\*\* Omaha Area includes Douglas and surrounding Counties; detached and attached single family

**Table 3: All House Sales - Average Sale Price**

Year	*Lincoln	**Omaha Area	Difference	
	Avg. Sale \$	Avg. Sale \$	Avg. Sale \$	
1998	115,804	125,679	(9,875)	lower
1999	119,315	137,188	(17,873)	lower
2000	127,346	147,388	(20,042)	lower
2001	132,868	143,041	(10,173)	lower
2002	140,729	150,542	(9,813)	lower
2003	149,308	163,235	(13,927)	lower

\*MLS Areas 11- 47; all residential property types except mobile homes

\*\* Omaha Area includes Douglas and surrounding counties; detached and attached single family

Sources:

I:\ECON\_DEV\Lincoln Omaha housing comparison.123

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# Comparison of Lincoln and Omaha Housing Costs, 1998-2003

July 14, 2004

**Table 4: Existing House - Average and Median Sale Price**

Year	*Lincoln		**Omaha Area		Difference	
	Avg. Sale \$	Median \$	Avg. Sale \$	Median \$	Avg. Sale \$	Median \$
1998	109,118	94,000	117,337	99,464	(8,219)	(5,464)
1999	109,208	95,000	123,068	103,714	(13,860)	(8,714)
2000	115,310	102,000	133,250	113,590	(17,940)	(11,590)
2001	122,526	108,000	130,909	113,565	(8,383)	(5,565)
2002	129,608	114,900	137,060	118,164	(7,452)	(3,264)
2003	136,796	120,000	144,266	121,758	(7,470)	(1,758)

\*MLS Areas 11 - 47; detached, attached and condo single family

\*\* Omaha Area includes Douglas and surrounding Counties; detached & attached single family

**Table 5: New House - Average and Median Sale Price**

Year	*Lincoln		**Omaha		Difference	
	Avg. Sale \$	Median \$	Avg. Sale \$	Median \$	Avg. Sale \$	Median \$
1998	153,534	146,218	198,730	174,963	(45,196)	(28,745)
1999	167,220	158,250	216,964	197,917	(49,744)	(39,667)
2000	174,167	160,000	219,037	202,367	(44,870)	(42,367)
2001	174,663	158,706	213,890	200,948	(39,227)	(42,242)
2002	180,184	164,698	226,129	206,885	(45,945)	(42,187)
2003	184,245	168,000	248,469	229,934	(64,224)	(61,934)

\*MLS Areas 11 - 47; detached, attached and condo single family

\*\* Omaha Area includes Douglas and surrounding Counties; detached & attached single family

Sources:

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# CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Lincoln-Lancaster County  
Planning Department  
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair  
City-County Planning Commission

555 South 10th Street  
Suite 213

Lincoln, Nebraska 68508  
402-441-7491  
fax: 402-441-6377

September 14, 2004

Michael R. Johnson  
Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68508

RECEIVED  
SEP 14 2004  
CITY COUNCIL  
OFFICE

RE: Highlands Coalition 4<sup>th</sup> Addition Final Plat #04022

Dear Mr. Johnson,

Highlands Coalition 4<sup>th</sup> Addition was approved by the Planning Director on August 27, 2004. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

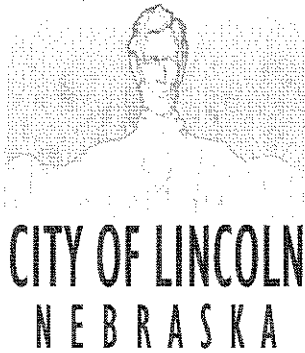
Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,

Becky Horner, 441-6373, [rhorne@lincoln.ne.gov](mailto:rhorne@lincoln.ne.gov)  
Planner

CC: Parks and Recreation Department, JJ Yost  
Joan Ray, City Council (14)  
Dennis Bartels, Public Works & Utilities  
Terry Kathe, Building & Safety  
Sharon Theobald, Lincoln Electric  
Jean Walker, Planning  
File

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# PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

## CANCELLED

The City of Lincoln, Department of Public Works would like to take this opportunity to invite you to an open house regarding the following roadway projects in the vicinity of South 56th Street and Pine Lake Road:

**Pine Lake Road; 40th Street - 61st Street  
Project 700014**

**South 56th Street; Old Cheney Road - Shadow Pines Drive  
Project 701763**

**South 56th Street; Thompson Creek Boulevard - Yankee Hill Road  
Project 701764**

**Pine Lake Road; 61st Street - Highway 2  
Project 701765**

On Wednesday, September 22, 2004 from 6:00 to 8:00 p.m. at Humann Elementary School, 6720 Rockwood Lane, Engineers from the Public Works Department, E & A Consulting Engineers, The Schemmer Associates, and HWS Consulting Group will be available to answer questions about the proposed projects. A brief description of the work is:

- Reconstruction of the existing roadways to urban standards to include curb and gutter and storm drainage systems.

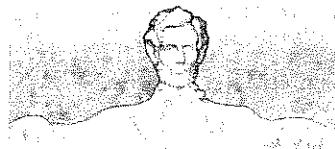
If you cannot attend and have questions, please feel free to call.

Amber Topping  
Public Information Contact  
E & A Consulting Group  
(402) 420-7217

Kris Humphrey  
Project Manager  
City of Lincoln, Engineering Services  
(402) 441-7592

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SEP 16 2004  
CITY COUNCIL  
OFFICE





**CITY OF LINCOLN  
NEBRASKA**

**MAYOR COLEEN J. SENG**

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Street Operations  
Public Works and Utilities Department  
Allan Abbott, Director  
901 North 6th Street  
Lincoln, Nebraska 68508-2315  
402-441-7701  
fax: 402-441-8194

September 14, 2004

Florafae Schoen  
815 West Stockwell  
Lincoln, NE 68522

**RECEIVED**  
**SEP 14 2004**  
**CITY COUNCIL  
OFFICE**

RE: Street & Road Maintenance

Dear Ms. Schoen:

I am responding to you in regards to your inquiry of street maintenance for portions of Yankee Hill which were not annexed into the City. Attached you will find a map which shows the street in question, and the current City limits.

The streets that have been annexed will be maintained by the City's Street Operations Section, including both paved and unpaved roadways. Those streets outside the City limits will continue to be maintained by Lancaster County.

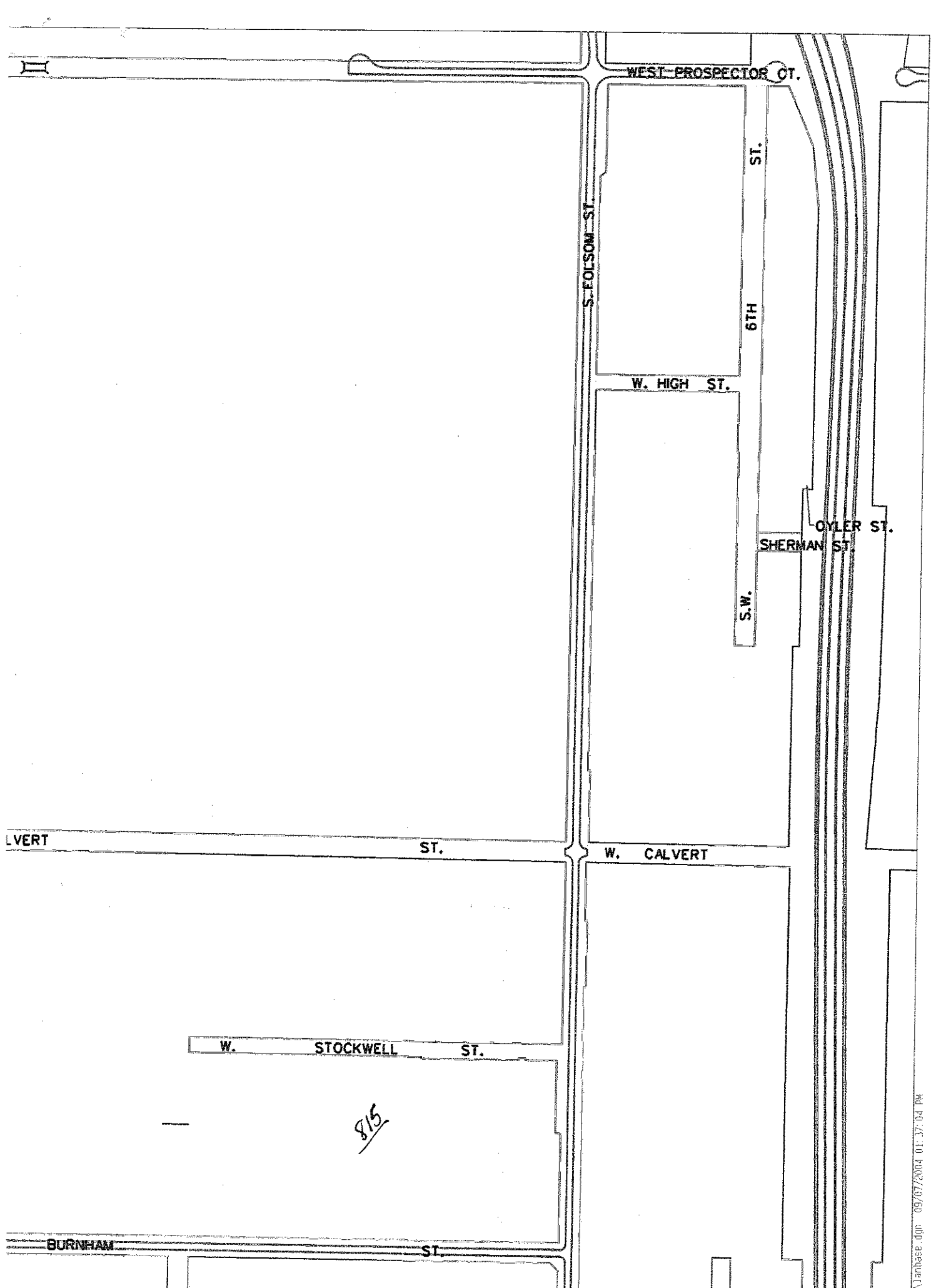
As you will see by the map, some of the streets will require both agencies to perform maintenance activities. Due to the difference in some of the methods and types of materials used, our two agencies will coordinate the maintenance provided.

If you have future concerns regarding street or road maintenance, you may call Bob Jacobs with Lancaster County Engineering at 441-7681, or Roger Tiedeman with the City Street Maintenance Operations at 441-7701.

Sincerely,

A. F. Edwards,  
Supt. of Roads & Storm Sewer Maint.  
Street Maintenance Operations, PW&U

cc: Robert Jacobs  
Jon Camp, Darrell Podany  
Mayor Coleen J. Seng  
City Council  
Allan Abbott, Roger Figard, Karl Fredrickson, Bill Nass, Roger Tiedeman



WEST PROSPECTOR CT.

S. FOLSOM ST.

ST.

6TH

W. HIGH ST.

S.W.

OYSTER ST.

SHERMAN ST.

W. CALVERT

ST.

W. CALVERT

W.

STOCKWELL

ST.

815

BURNHAM

ST.

**Roger A Figard**

09/07/2004 07:06 AM

To: Allan L Abbott/Notes@Notes  
cc: Darrell Podany/Notes@Notes, Karen K Sieckmeyer/Notes@Notes, Karl A Fredrickson/Notes@Notes, Andrew F Edwards/Notes@Notes  
Subject: Re: constituent / Yankee Hill street and road maintenance

Karl, please have Bub review with the County the new limits of Annexation and have a clear agreement of what is now ours and what maint we need to do. Have bub get back to this lady. Thanks Roger  
Allan L Abbott

 **Allan L Abbott**

09/01/2004 05:26 PM

To: Darrell Podany/Notes@Notes, Roger A Figard/Notes@Notes, Karl A Fredrickson/Notes@Notes  
cc: Karen K Sieckmeyer/Notes@Notes  
Subject: Re: constituent / Yankee Hill street and road maintenance

Roger or Karl please get back to Ms. Schoen. I assume the answer is whom ever is maintaining it now  
Darrell Podany

**Darrell Podany**

09/01/2004 04:06 PM

To: Allan L Abbott/Notes@Notes  
cc: Karen K Sieckmeyer/Notes@Notes  
Subject: constituent / Yankee Hill street and road maintenance

Re Florafae Schoen  
815 West Stockwell  
423-3931  
ercadiakees@alltel.net

Hello Allan,

Ms Schoen called Jon Camps cc office with an inquiry as to who will have responsibility for maintaining streets and roads in their neighborhood that are not being taken into the city. She indicated that their particular residence will not become part of the city as part of the recent annexation.

Can you please ask appropriate PW staff to respond to her and copy any correspondence to Jon's cc office?

Thanks.

Darrell

copy Jon Camp



CITY OF LINCOLN  
NEBRASKA

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

StarTran  
Public Works and Utilities Department  
Allan Abbott, Director  
710 "I" Street  
Lincoln, Nebraska 68508  
402-441-7185  
fax: 402-441-7055



September 9, 2004

Ms. Marie Elikor  
1810 'E' Street, Apt #307  
Lincoln NE 68508

Dear Ms. Elikor:

Thank you for your September 2, 2004 correspondence in which you described your unfortunate experience in the utilization of the StarTran HandiVan service that day. I also was in contact with Ms. Jody Luzum, with Madonna Rehabilitation Hospital, in this regard. As such, I have investigated the circumstances of how the services were mishandled not just once, but on both ends of your trip.

First, please accept my apology for the problems you experienced with the HandiVan services. I can assure you that we strive to provide the high level of service described to you by Ms. Luzum, and with few exceptions, we do so. The problems you experienced were caused by mis-communication by StarTran staff, and also by the Transport Plus staff. Again, we sincerely apologize.

For your information, I found that although you requested HandiVan transportation for two persons in wheelchairs and one additional rider who would be walking, the HandiVan dispatcher mistakenly recorded that request as one person in a wheelchair and one walking. That is why a smaller Transport Plus vehicle was assigned for your 11:00 a.m. pickup. The supervisor who received the call from Transport Plus requesting a second vehicle has been since advised of his responsibility to provide supplemental service in such circumstances, even though he was not the regular HandiVan supervisor.

A StarTran HandiVan was dispatched for your 4:30 p.m. return trip, after the HandiVan supervisor called Transport Plus to determine exactly where you were taken that morning. Transport Plus staff indicated you were taken to the main entrance of the State Fair, south of the Devaney Sports Center. So, that was where the HandiVan was sent to pick you up. After having read your letter, you indicated that you were actually taken to the 17<sup>th</sup> Street entrance that morning. Now I understand why you were not where we understood, from Transport Plus, we should pick you up, and ended up leaving after waiting for approximately ten minutes.

It was very fortunate that Ms. Luzum was able to accommodate your transportation needs that day, as the StarTran HandiVan services did not meet your, or for that matter, my, expectations for transportation services. Please know that StarTran HandiVan services accommodate over 48,000 passenger trips per year at a very high level of timeliness and efficiency. Your experience was very unusual, but still unacceptable.

RECEIVED  
SEP 15 2004  
CITY COUNCIL  
OFFICE

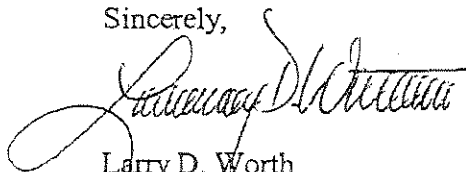
Ms. Marie Eliker

9/9/04

Page 2

Again, I apologize for your unfortunate experience, and I truly hope you will give us a second chance to show that services are as awesome as portrayed to you by Ms. Luzum. I am enclosing several "free ride" VIP tickets to use when, hopefully, you give us another try.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry D. Worth".

Larry D. Worth  
Transit Manager

cc: Ms Jody Luzum - Madonna Rehabilitation Hospital

Thursday, September 2, 2004

**The day I thought that doors in my life were opening, only to see them slammed shut in my face!**

To whom it may concern:

My name is Marie Eliker. Having suffered a stroke in my twenties that left me with right sided paralysis and aphasia has forced me to learn many new things and overcome many obstacles in my life. Independence being a top priority in my life, I am in favor of anything that helps me to maintain that.

I am fortunate enough to live in an apartment complex that is for "independent living" individuals with a neat twist. We have an L.P.N. who serves as our wellness coordinator at no cost to any of us living in the building. She is always thinking of ways to motivate us and keep us involved and as independent as possible. This runs the gamut of, group activities, outings, exercises and referring us to programs that might be beneficial to us.

Although I love getting out, I cannot walk long distances and depend on my power chair for that. She does have a wheelchair accessible van to accommodate that. However, sometimes it would be nice to go out alone or with a friend or two instead of always in a group. Our coordinator bragged to me about an awesome service in Lincoln-The StarTran Handivan. Once registered, they will take you anywhere in Lincoln, not just to medical appointments. I got registered with her help and then my friend got registered as well and this is where our saga begins.

I called to reserve the handivan. I called from our activity room with other fellow residents there who heard my call. I told the dispatcher, "two people in power chairs and one person will be walking". They made a big deal out of both people in power chairs had to be registered but that one person could go along to help who was not registered. I reassured them that both power chair riders were indeed registered.

I was told the van would be coming on Thursday, September 2 at 11:00 a.m. to pick all three of us up and I had to schedule a return trip time home which we set up for 4:30 p.m.

WOO WHO!!

We did it-we three friends would be going to the Nebraska State Fair!

The wellness coordinator came to check on us at 11:00 a.m. to see if our ride had come. Just then a "Transport Plus" minivan pulled up. The coordinator asked the lady who she was here to get and she said, "Eliker." The coordinator said, "there are two people on power chairs and you can only fit one in that van." The lady radioed her boss who said they only had down one power chair. She did say she could take one power chair and come back for the other but would have to have StarTran authorize it. She radioed her boss again and after a short while he said StarTran said no. The coordinator then called StarTran on her cell phone. The man answering the phone said he did not take the initial reservation, could not authorize anything and all the other people were at lunch and could we call back at 12:15 p.m.? The coordinator said that was not appropriate and asked him if he had the League of Human Dignity phone number so she could talk to them. As he looked for it she told us what he said. He got back on the phone and said he didn't need to take any "verbal abuse" and hung up on her!

She then put her B/P clinic on hold and used her van to take me while Transport Plus took my other two friends. We were dropped off at the 17th street entrance. Our coordinator told us to have fun and she would call

StarTran to make sure this confusion didn't happen at our 4:30 p.m. pick up time.

She did call and talk to "Sue" and some other unidentified man on the phone. Stating there was a communication problem somewhere they assured her that a van capable of taking the two power chairs and one walking person would be there.

We had fun at the fair and left in plenty of time to go meet our van. We got to where we were dropped off by 4:05 p.m. and started our wait. After sitting and waiting until about 5:05 p.m. we used a pay phone near by and called the handivan but got a recording. "Now what"? we were thinking. We called another lady in our apartment complex to tell her our dilemma and give her the number of the pay phone where we were at.

Little did we know that our coordinator started to try and call each of us at our homes to see how our first day on the van went. When she could not reach any of us, she called our friend that we had called earlier. She got the pay phone number from her and called us. She was shocked to hear that we were still waiting at 5:30 p.m. She told us to hang on while she made some calls.

Star Tran told her that they sent a van at 4:30 p.m. and nobody was there and they only have to wait 5 minutes. The driver left and brought the van in and went home! She told him that we were where we were supposed to be and no van ever showed up. She then asked the dispatcher if he had another van that he could send at some point to come and get us. He told her no they didn't have room or time to do that! Our coordinator called us back to tell us what had occurred and how sick she was to think they could care less that we had no way of getting home! She told us she would leave her home, drive across town, get a van and come after us.

6:15 p.m. - she was there to take all three of us home. Talk about feeling helpless and hopeless! What a slap in the face. I not only will NEVER use the handivan again, but I will tell everyone and anyone who will listen to me, "Don't depend on the handivan because if there is any slip up no matter how severely you need assistance, you will be left behind to fend for yourself."

I find it absolutely inhumane the way I and my friends were treated. What I thought would be an opportunity for me to spread my wings and assert my independence, turned into one of the scariest and demoralizing days of my life. My friends feel just as strongly as I do.

I challenge any and all of you to spend ONE day in my shoes. Spend it in a wheelchair, with the use of only one side of your body. Then try going through doors without handicap devices to help you, bathrooms that are supposedly wheelchair accessible and best of all being taken somewhere by the handivan and being left there to figure out for yourself how to get home.

That was my day how was yours?! Feel free to take me up on my challenge- I DARE YOU.

P.S.

NOBODY apologized to any of us with the exception of our coordinator. She had nothing to be sorry about, but the city of Lincoln does for not making any of these people accountable for their actions!

Maria E. Liles 477-0160  
Charles K. Liles  
Arlene Dickerson



**Joan V Ray**

09/13/2004 10:46 AM

To: Singjazz@aol.com  
cc: council@ci.lincoln.ne.us  
Subject: Re: The Patriot Act

Dear Ms. Marshall: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Singjazz@aol.com



**Singjazz@aol.com**

09/12/2004 07:15 PM

To: council@ci.lincoln.ne.us  
cc:  
Subject: The Patriot Act

I can't attend the meeting tomorrow , but I want to register my hope that the City Council will pass the resolution on the Defense of Liberty.

nancy marshall





Joan V Ray

09/13/2004 10:47 AM

To: "Rue" <lwunderlich@neb.rr.com>

cc: <council@ci.lincoln.ne.us>

Subject: RE: Patriot Act

Dear L. Wunderlich: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Rue" <lwunderlich@neb.rr.com>



"Rue"

<lwunderlich@neb.rr.com>

To: <council@ci.lincoln.ne.us>

cc:

Subject: RE: Patriot Act

09/12/2004 08:05 PM

I support curbs on the Patriot Act as introduced by Council Member Jonathan Cook.

The Patriot Act was written and introduced in haste, passed without sufficient discussion or reflection. As a nation, a state, and a community we have an obligation to question any statute that seeks to stifle inquiry and casts a pall over free and open discussion. The Patriot Act contains provisions that grant law enforcement coercive means to limit access and use of information by all citizens.

We are a university community. We of all communities in the state should be protecting the right of all legitimate discourse without restriction. We want our university to be the best, to attract academic candidates who can see our community as open with citizens that encourage learning, and are willing to test ideas.

In addition, it is imperative that we uphold the principles that make our democracy unique. We are absorbing more and more citizens of ethnic backgrounds that are quite different than those that homesteaded this rural state. This trend is not going to subside, indeed, it is likely to accelerate. With these changes we will rely more heavily on the principles of our founding fathers and mothers, the patriots that fought and died to uphold them and the citizens that have marched and protested to assure our democracy does not lose these ideals. With these dynamic changes we must all be rooted in the basic principles outlined in our Bill of Rights and our Constitution.

The Patriot Act must be held to higher scrutiny because it challenges the Bill of Rights. The Bill of Rights should stand supreme and the Patriot Act must acquiesce to it.

I will be unable to attend the hearing on September 13. I do wish that my remarks be given to each member of the Council and included in the record.

LaRue Wunderlich  
128 N 13  
Lincoln, Nebraska



Joan V Ray

09/13/2004 10:50 AM

To: John Moss <mossimo@inebraska.com>

cc: council@lincoln.ne.gov

Subject: Re: Vote FOR Defense of Liberty Resolution

Dear Mr. Moss: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

John Moss <mossimo@inebraska.com>



John Moss

<mossimo@inebraska.com>

09/12/2004 09:59 PM

To: council@lincoln.ne.gov

cc:

Subject: Vote FOR Defense of Liberty Resolution

City Council,

Please vote FOR the resolution in defense of the Bill of Rights to change those parts of the Patriot Act the undermine my civil liberties.

My father and most of his friends and acquaintances fought in WWII AGAINST Facism and the rule of tyrannical governments. I adamantly oppose the provisions of the so called "Patriot Act" that in effect render parts of the Bill of Rights to the Constitution null and void.

There is no case where I can see we want to suspend writ of habeus corpus, advocate widespread spying with no reasonable cause for suspicion, endorse wiretaps and "sneak and peak" searches with rubber stamped warrants that judges are required to sign. Secret courts, secret judges, arrests without cause, indefinite jail terms on suspicion and no legal council are reprehensible to a free republic form of government and anyone who values and cherishes freedoms fought and won by hundreds of thousands of soldiers, citizens and patriots.

The President swore to uphold the Constitution as he took office. Some of the provisions of this law passed in the hast following 9/11 were by design of the President, the Attorney General FOR the President and the Secretary of the Defense. It is an abomination that those three incredibly powerful men in the executive branch would see those provisions written in. It is up to the populace and the Judicial branch to offset those mistakes.

Thank you for voting to support the Defense of Libery resolution.

John Moss

1219 South 25th St.

Lincoln, NE



Joan V Ray

09/13/2004 10:52 AM

To: <mattbosley@bigfoot.com>

cc: <council@lincoln.ne.gov>

Subject: Re: Defense of Liberty Resolution

Dear Dr. Bosley: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"M M Bosley" <mmbos@neb.rr.com>



"M M Bosley"

<mmbos@neb.rr.com>

To: <council@lincoln.ne.gov>

cc:

Subject: Defense of Liberty Resolution

09/13/2004 05:21 AM

Please respond to  
mattbosley

I strongly encourage all members of the Lincoln City Council to support the "Defense of Liberty" resolution to be considered at public hearing today.

The USA PATRIOT Act (Public Law 107-56) was presented to Congress remarkably soon after September 11, 2001, and it was, unfortunately, rushed to passage almost immediately with almost no opportunity to rationally consider its potential effects on important, basic rights granted to average citizens by the Constitution of the United States-particularly the right to privacy and the right against unauthorized and unmonitored search and seizure. How this law is applied does, indeed, now involve the City of Lincoln and the City Council. The law very significantly affects services provided by the city and the citizens using those services, particularly public library and health care services, and it is proper that the city inform the "consumers" of these services how they may be affect by using these services.

It is also very important that we do as much as we can to be certain our representatives in Congress carefully consider all the effects the USA PATRIOT Act when they are presented with the Domestic Security Enhancement Act (DSEA, also known as "PATRIOT II").

Remember "The salvation of the state is watchfulness in the citizen."  
Please support the "Defense of Liberty" resolution.

Matthew M. Bosley, M.D.  
Lincoln, Nebraska

Please reply to mattbosley@bigfoot.com



Joan V Ray

09/13/2004 10:41 AM

To: "Bob and Barbara Boyce" <rboyce@inetnebr.com>

cc: <council@lincoln.ne.gov>

Subject: Re: Vote to protest the USA PATRIOT Act

Dear Mr. & Ms. Boyce: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Bob and Barbara Boyce" <rboyce@inetnebr.com>



"Bob and Barbara  
Boyce"

<rboyce@inetnebr.com>

To: <council@lincoln.ne.gov>

cc:

Subject: Vote to protest the USA PATRIOT Act

09/11/2004 05:34 PM

Ladies/Gentlemen--

Lincoln needs to protest the excesses of the USA PATRIOT Act. The City Council needs to join the hundreds of other cities and four states which have taken a stand in defence of basic American liberties enshrined in the Constitution and Bill of rights.

Do you realize that federal government agencies can require Lincoln City Libraries to install software on the library computer so that the government can track the books you and I check out? And that the library cannot tell you about it?!! And that the government can do this without showing that any crime has been committed, or may be going to be committed?

The government has the same excessive powers to examine medical records, bank records, credit card transactions, telephone calls, and book purchases. The government need not specify a particular person involved in an investigation, nor a particular crime.

In the Declaration of Independence we protested unreasonable searches and seizures. This is precisely the case today. On Monday, please vote FOR the rights of Americans. Vote to protest the USA PATRIOT Act.

Thank you.

Robert L. Boyce, III  
735 South 37th Street  
Lincoln, NE 68510  
475-0783



**Joan V Ray**

09/13/2004 10:43 AM

To: "Anne and Wes Ballard" <aballard@neb.rr.com>  
cc: <council@lincoln.ne.gov>  
Subject: Re: Patriot Act

Dear Mr. & Ms. Ballard: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

"Anne and Wes Ballard" <aballard@neb.rr.com>



"Anne and Wes  
Ballard"  
<aballard@neb.rr.com>  
>

To: <council@lincoln.ne.gov>  
cc:  
Subject: Patriot Act

09/11/2004 09:09 PM

I will not be able to attend the hearing on the Defense of Liberty resolution. But I am grateful and proud of the City Council for addressing this issue, and calling for changes in the Patriot Act that undermines our society.

Thank you.

Anne Ballard  
6656 Peggy Circle  
Lincoln NE 68507



Joan V Ray

09/13/2004 10:43 AM

To: "LARRY WIKOFF" <lhw123@msn.com>

cc: council@ci.lincoln.ne.us

Subject: Re: Be a Patriot and support the "Defense of Liberty " resolution!

Dear Mr. Wikoff: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"LARRY WIKOFF" <lhw123@msn.com>



"LARRY WIKOFF"

<lhw123@msn.com>

09/12/2004 12:49 AM

To: council@ci.lincoln.ne.us

cc:

Subject: Be a Patriot and support the "Defense of Liberty " resolution!

I urge all Council members to stand up and be real Patriots and conserve the traditions of our country and the foundation they rest on, the Constitution and it's Bill of Rights and support the "Defense of Liberty" resolution. Contrary to the viewpoint of some in our Federal Gov't., security and freedom need not be mutually exclusive. And I believe it was Ben Franklin who said that if you sacrifice liberty for security, you will end up with neither! After all even in police states like Saudi Arabia and Pakistan, they have had terrorist attacks and assassination attempts on national leaders. Thanks for your time, and please support our freedom and liberty.

Signed, Larry H. Wikoff

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<http://search.msn.click-url.com/go/onm00200636ave/direct/01/>



**DO NOT REPLY to this-  
InterLinc  
<none@lincoln.ne.gov  
>**

To: General Council <council@lincoln.ne.gov>  
cc:  
Subject: InterLinc: Council Feedback

09/12/2004 01:19 PM

InterLinc: City Council Feedback for  
General Council

Name: Deborah Myers  
Address: 3145 Touzalin Avenue  
City: Lincoln, NE 68507  
  
Phone: 465-5449  
Fax:  
Email: brother77x7@alltel.net

**Comment or Question:**

About the smoking ban vote planned for November. Are you really giving us a choice? You aren't letting the voters say no I don't want a smoking ban. You are giving us a choice for a total or partial ban. This is NOT a choice at all.

I am not a smoker but I am AGAINST a smoking ban be it total or partial because I feel that you as a council are infringing on my rights. I am a grown woman and can make the decision to stay out of places of business that allow smoking. I think that in the long run, businesses that cater to smokers will become hard to find because economics will come into play.

I know that I will not be voting for any council member determined to take away my rights as a citizen. As far as Mr. Svoboda's comments about how we can do this for the good of the citizens. What an arrogant comment. You are totally out of control.



Joan V Ray

09/13/2004 12:36 PM

To: kjw@NebrWesleyan.edu  
cc: council@lincoln.ne.gov  
Subject: Re: Defense of Liberty resolution

Dear Ms. Wolfe Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

kjw@NebrWesleyan.edu



kjw@NebrWesleyan.ed  
u

09/13/2004 12:30 PM

To: council@lincoln.ne.gov  
cc:  
Subject: Defense of Liberty resolution

To the City Council:

I urge you to vote in support of the Defense of Liberty resolution that calls for reexamination of portions of the PATRIOT Act that unduly restrict civil liberties.

This resolution is NOT a waste of time; Lincoln citizens are asking our city government to help us voice our concerns on the federal level. It would be myopic to call this request irrelevant to city issues, since it is at the local level that the PATRIOT Act potentially has its most specific and pernicious effects.

Thank you for your consideration.

Sincerely,

Kathy J. Wolfe  
Lincoln



kjw.vcf

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Joan V Ray

09/13/2004 01:06 PM

To: "Becki Schulte" <forbecki@hotmail.com>  
cc: council@lincoln.ne.gov  
Subject: Re:

Dear Ms. Schulte: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Becki Schulte" <forbecki@hotmail.com>



"Becki Schulte"

<forbecki@hotmail.co  
m>

09/13/2004 12:43 PM

To: council@lincoln.ne.gov  
cc:  
Subject:

Please support the Defense of Liberty resolution. My husband served in Iraq & we believe that his service will be in vain if the liberties he has fought for are diminished. Let the national government know that Lincolniters do not approve of the loss of our precious civil liberties. I believe it was Franklin who said something to the effect of "Those who trade liberty for security deserve neither."

Rebecca Schulte

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SEP 13 2004  
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OFFICE



Joan V Ray

09/13/2004 01:07 PM

To: Blueriverjewelry@aol.com  
cc: council@lincoln.ne.gov  
Subject: Re: Defense of Liberty

Dear Ms. McMahan: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Blueriverjewelry@aol.com



Blueriverjewelry@aol.c  
om

09/13/2004 01:05 PM

To: council@lincoln.ne.gov  
cc:  
Subject: Defense of Liberty

**To all City Council members;**

**Please cast your vote for this important resolution!**

**Thank-you.**

**Susy McMahan**

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OFFICE

*Handwritten signature*

Joan V Ray

09/13/2004 02:08 PM

To: Tim Harris <tharris@unlnotes.unl.edu>  
cc: Lincoln City Council <council@ci.lincoln.ne.us>  
Subject: Re: Defense of Liberty resolution

Dear Mr. Harris: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

RECEIVED  
SEP 13 2004  
CITY COUNCIL  
OFFICE

Tim Harris <tharris@unlnotes.unl.edu>



Tim Harris  
<tharris@unlnotes.unl.edu>

09/13/2004 01:56 PM

To: Lincoln City Council <council@ci.lincoln.ne.us>  
cc:  
Subject: Defense of Liberty resolution

To whom it may concern,

I'm sorry I'm getting my comments to you late.

I am greatly heartened that my city leaders are taking the lead in calling for changes in the Patriot Act which undermine so many civil liberties, especially privacy.

I, too, want our great country to be as protected against terrorism as much as it can, but not to the extent that it changes the very nature of this country and the freedoms it was founded upon.

Thank you again for taking this important matter into consideration, and I do hope you pass this resolution.

Sincerely,  
Tim Harris

\*\*\*\*\*

"Shortsighted men...in their greed and selfishness will, if permitted, rob our country of half its charm by their reckless extermination of all useful and beautiful wild things." -- Theodore Roosevelt

\*\*\*\*\*

Timothy S. Harris  
Research Technologist I  
406 Plant Sciences Hall  
University of Nebraska - Lincoln  
402-472-5770 (work)  
402-472-2853 (fax)  
tharris2@unl.edu

\*\*\*\*\*



Joan V Ray

09/13/2004 03:07 PM

To: "Stephanie Dohner" <dohners@mindspring.com>  
cc: "citycouncil" <council@ci.lincoln.ne.us>  
Subject: Re: Councilman Cook's proposal

Dear Ms. Dohner: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Stephanie Dohner" <dohners@mindspring.com>

RECEIVED  
SEP 13 2004  
CITY COUNCIL  
OFFICE



"Stephanie Dohner"  
<dohners@mindspring  
.com>

09/13/2004 03:02 PM

To: "citycouncil" <council@ci.lincoln.ne.us>  
cc:  
Subject: Councilman Cook's proposal

Dear Lincoln City Council

I support Councilman Cook's proposal for Lincoln to join other cities and local governments in opposition to the invasive clauses of the "Patriot Act".

Thank you for your attention.

Stephanie Dohner  
Lincoln



Joan V Ray

09/13/2004 06:56 PM

To: "Fricke, Chuck" <Chuck.Fricke@ITI.Fiserv.com>  
cc: "council@ci.lincoln.ne.us" <council@ci.lincoln.ne.us>  
Subject: Re: Highway 77 bypass

Dear Mr. Fricke: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Fricke, Chuck" <Chuck.Fricke@ITI.Fiserv.com>

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SEP 14 2004  
CITY COUNCIL  
OFFICE



"Fricke, Chuck"  
<Chuck.Fricke@ITI.Fiserv.com>

09/13/2004 06:28 PM

To: "council@ci.lincoln.ne.us" <council@ci.lincoln.ne.us>  
cc:  
Subject: Highway 77 bypass

Dear council members,

I had an opportunity to speak in front of you today at the city council meeting concerning the Highway 77 amendment. In retrospect, I probably let my emotions get the best of me during my participation. Unfortunately, I could not stay to see if you voted on the resolution.

My main goal was to encourage you to look long term into the growth Southwest Lincoln. With Wilderness Park in the middle of this growth, the current proposed road access into the city of Lincoln from the southwest is Warlick Blvd or Saltillo and possibly Pioneers Blvd..

I do not believe the NDOR or the city planners are close to the projected traffic volumes and either way, there still remains only a couple of access corridors into and out of Southwest Lincoln. No one wants to admit the park is creating an obstacle to future traffic growth. In addition, I believe there are other viable options to creating more or better access. Admittedly, our company's more immediate concern is proposed changes for Warlick Blvd into the intersection of 14th & Old Cheney. By building a proposed huge intersection, we are inviting traffic into our neighborhoods and businesses. What typically happens to a homeowner or business when they become boxed in?

As mentioned in the FACTS (page 11) offered in conjunction with the proposed resolution; a better idea would be to spread the traffic out, creating more corridors off the freeway, as opposed to bringing commuters into one or two roadways creating congestion in already busy neighborhoods. In my comments to you, I referred to Wilderness Park as something sacred. I like greenery too, but you know, they built an overpass on Warlick over the park and the park still survives. So the question comes up, why can't an overpass be built for Yankee Hill road over the park? Sooner or later reality sets in, if it is later, then we are behind the curve and we have lived with that scenario that the last twenty years.

I agree with Mr. Hampton's comments that we really need to explore all the opportunities before us.

I appreciate all of your efforts and the sometimes difficult tasks before you. Thanks for taking the time to read this. If you have any further questions or if you care to respond my email address and phone number

are below.

Regards,  
Chuck Fricke

Charles Fricke  
Administration Operations  
(402) 423-2682 Ext. 3703  
E-mail: [chuck.fricke@ITL.Fiserv.com](mailto:chuck.fricke@ITL.Fiserv.com)  
Information Technology, Inc.  
1345 Old Cheney Rd.  
Lincoln, NE 68512

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September 14, 2004

Attention All Council Members

Re: Andrea's Court Community Unit Plan, Special Permit No. 04035

As residents of the Sunset Acres Neighborhood Association, we are concerned and oppose the Andreas' Court Community Unit Plan, Special Permit No. 04035 because of the danger of flooding and increased traffic in this neighborhood.

As residents of this area we are aware of what happens when we get a heavy rain. There are two large drainage ditches that join right north of Turner Street between 42<sup>nd</sup> Street Circle and 40<sup>th</sup> Street. These are main drainage ditches that collect storm water from across town. One ditch comes from the intersection of 48<sup>th</sup> & Cornhusker Highway and the other comes from the south across Cornhusker Highway at about 41<sup>st</sup> Street through the trailer court and dumps into Turner Ditch north of Turner Street which then empties into Salt Creek.

When Salt Creek starts getting higher the gate into Turner Ditch is closed and all water in Turner Ditch is held and collected until Salt Creek goes down. It is at this time that Turner Ditch can become filled to capacity and overflows into the area that is proposed to be filled and built with townhouses. This area holds a lot of overflow water and prevents flooding the homes in this area.

Ten years ago when Turner Ditch overflowed both to the north and south, it backed up to the point that the intersection of 42<sup>nd</sup> & Turner was full of water in addition to all the drainage ditches running full with the water creeping up in our back yards and close to filling our basements. If this overflow area was taken away and filled like the above is proposed, flooding the homes in this area would happen more quickly and cause damage that could not be avoided.

Trying to make a left hand turn from 40<sup>th</sup> and 44<sup>th</sup> Street onto Superior Street is almost impossible during peak hours daily from about 6:45 a.m. to 9 a.m. and during 3:30 p.m. to 6 p.m. in the afternoon. During the rest of the day it requires a lot of patience while waiting for a chance to make the turn. Adding these townhouses to this area will only cause a lot of traffic congestion and will cause more accidents on 40<sup>th</sup> & 44<sup>th</sup> to happen.

I invite all of you to visit Sunset Acres and see first hand how this project will affect our neighborhood if Andrea's Court Community Unit Plan, Special Permit No. 04035 is approved.

Sincerely,

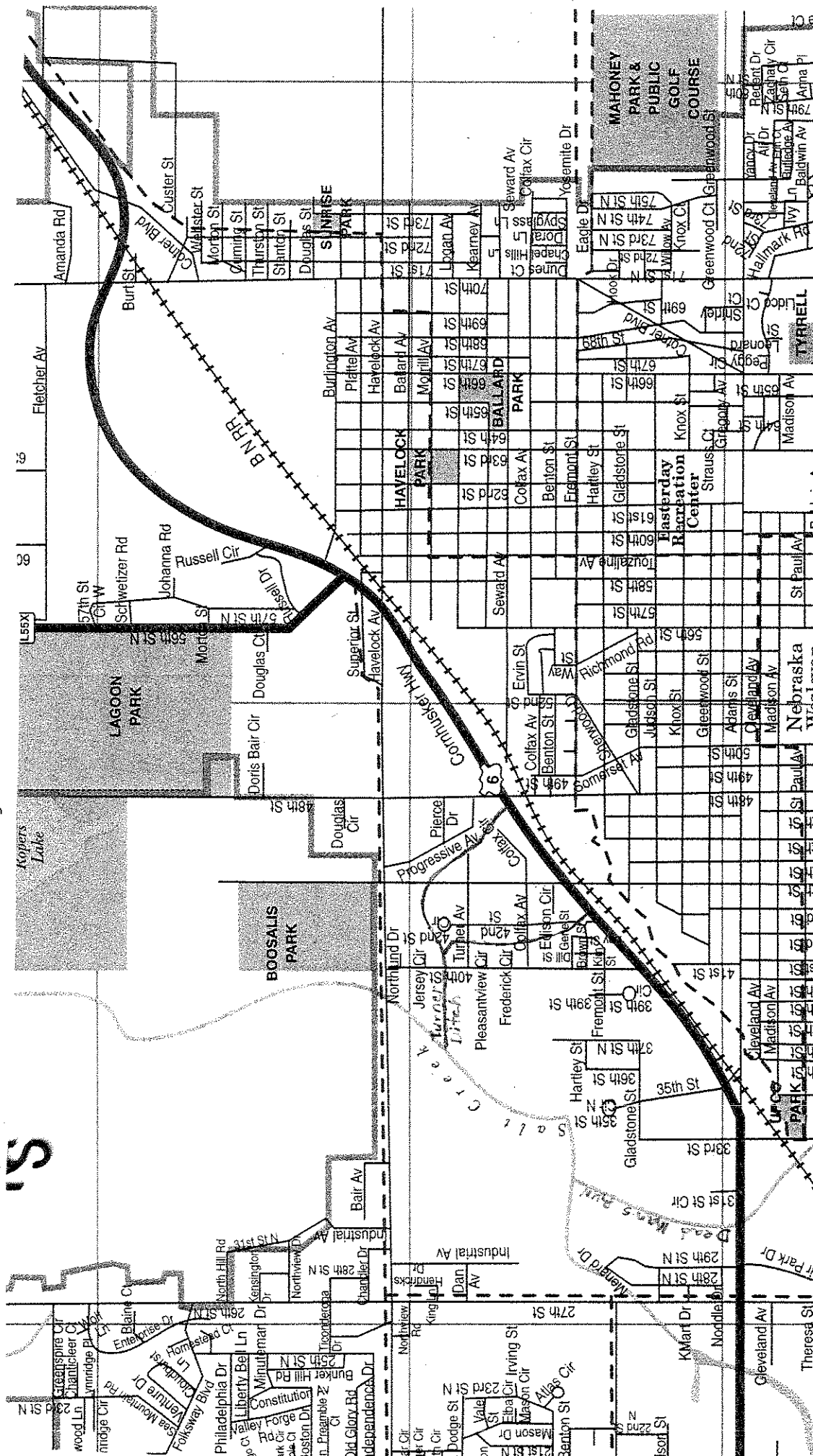


Roland & Marion Casburn  
3820 N. 42<sup>nd</sup> Street  
Lincoln, NE 68504

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CITY OF LINCOLN  
OFFICE

I have drawned and hi-lighted the drainage ditches in our neighborhood that dump into Turner Ditch. I don't know the routes south of Cornhusker Hwy.

The drainage from all of Lincoln empties into Salt Creek by way of Oak Creek, Antelope Creek, Dead Man's Run and Beals Slough.





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OFFICE



1901 SW 5<sup>th</sup> STREET · LINCOLN, NE SUITE 100 · 68522 · PHONE (402) 435-3550 · FAX (402) 435-5070  
E-MAIL: [rbs@regalbuildingsystems.com](mailto:rbs@regalbuildingsystems.com)

September 14, 2004

Councilman Terry Werner  
555 So. 10th Sts., 2nd Flr., Rm 208  
Lincoln, NE 68508

RE: NW 1<sup>st</sup> & Barrons Road  
Ranch Style town home project

Dear Councilman Werner,

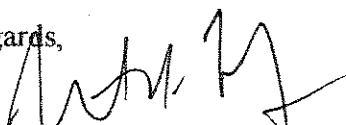
We are writing in reference to a town home project that will be coming before the City of Lincoln on the above referenced property for the developer group, RLM L.L.C.

We have enclosed a previously approved plan for this O-1 zoned property, marked Exhibit "A", that contains 85,000 square feet of office space. We also enclosed a proposal plan, marked Exhibit "B", containing 38 Ranch style town homes and two-5000 sq. ft. office buildings

We would like you to know that we value the neighborhood's opinion and have had one meeting on September 7, 2004, at which the Neighbors voiced concerns of more traffic. We also value your input and look forward to keeping you up to date as we move forward with this project.

If you have any questions or comments, please feel free to contact us at your convenience.

Regards,

  
Martin Fortney  
Vice President, Regal Building Systems, Inc.  
President, RLM L.L.C.

Cc: Mayor Seng  
Planning Director  
Planning Commission Members  
City Council Members  
Brian Carstens  
Mike Thomalla

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OFFICE

SCALE: 1" = 100'

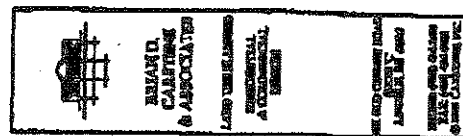
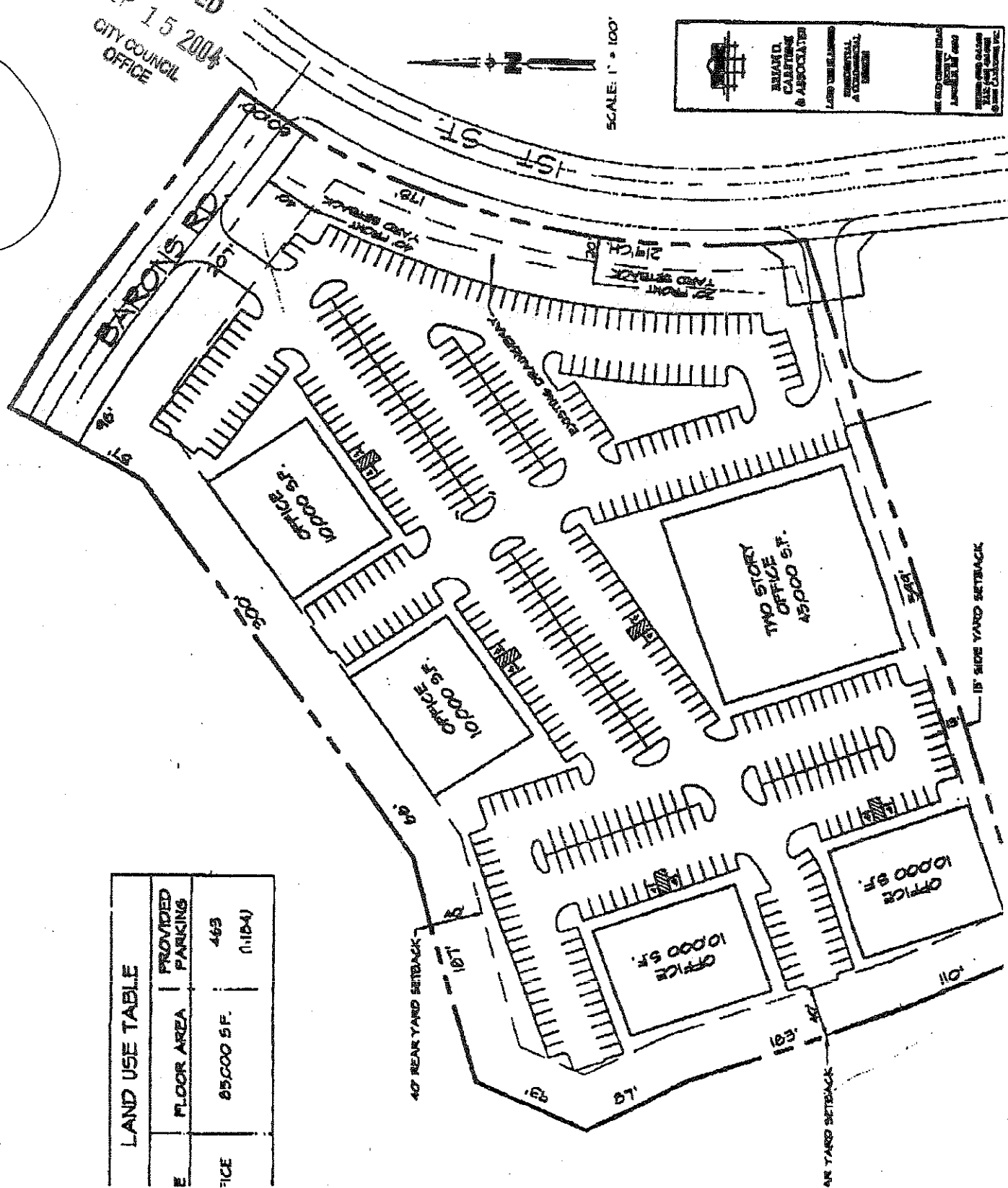


EXHIBIT "A"

LAND USE TABLE		
E	FLOOR AREA	PROVIDED PARKING
OFFICE	85,000 SF.	463 (1:184)







DO NOT REPLY to this-  
InterLinc  
<none@lincoln.ne.gov>  
>

To: General Council <council@lincoln.ne.gov>  
cc:  
Subject: InterLinc: Council Feedback

09/14/2004 09:54 PM

InterLinc: City Council Feedback for  
General Council

Name: Thom Payne  
Address: 1776 Liberty Drive  
City: Lincoln, NE, 68508  
  
Phone:  
Fax:  
Email: ThomPayne@gmail.com

Comment or Question:

jbishop@broadcasthouse.com  
cc: mayor@ci.lincoln.ne.us  
cc: gfriendt@ci.lincoln.ne.us  
cc: amcroy@ci.lincoln.ne.us  
cc: feedback page

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Dear KLIN ...

The current poll -- conducted on your website -- is: How will you vote in Tuesday's special street bond election?

It would seem that your poll results are remarkably close to the actual vote (as I write this, 51% of the totals are in, but I suspect they will hold). Pretty amazing, eh?

I wanted to say a brief word about the "Law of unforeseen Consequences" -- a concept that our city nannies seem blithely unaware of.

I, like 60+ percent of those polled, voted AGAINST this issue. Although I, like MANY others, utterly loathed the slimey tactic of trying to sneak this issue through when no one was looking ... THE PRIMARY REASON I voted against it (and urged everyone I knew) was because of the City Council's recent "jackassery" toward smokers.

I once felt part of the community, but their condescending, arrogant, cavalier and patronizing attitude toward smokers (and business owners) has broken any connection I once felt. Because of their treatment of me, I no longer feel any obligation to support the city in any way, shape or form. I guarantee, I am not alone. Nor will my displeasure be limited to voting down similar legislation. Except for groceries, I intent to buy most everything I can online. I do not wish to contribute a single farthing more than absolutely necessary to this anal-retentive ninnies, who seem hell-bent on turning Lincoln from a once-vibrant city into one big daycare center.

The current laws and ordinances are reasonable. The original compromise was irritating -- but reasonable. But the PC-driven, draconian extremist approach

that they finally settled on was deeply offensive and will NOT be forgotten.

I'm currently listening to Councilman Terry Schnook being interviewed Jane Monig on KLIN. He is utterly clueless -- lamenting that people just don't seem to understand the issue and the word just didn't get out.

Codswalllop!

We understood perfectly. I don't think he does, though.



DO NOT REPLY to this-  
InterLinc  
<none@lincoln.ne.gov>  
>

To: General Council <council@lincoln.ne.gov>  
cc:  
Subject: InterLinc: Council Feedback

09/14/2004 09:57 PM

InterLinc: City Council Feedback for  
General Council

Name: Trenton L. Gibbs  
Address: 2651 S. 14th  
City: Lincoln, NE 68502  
  
Phone:  
Fax:  
Email: tmgibbs@inebraska.com

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SEP 15 2004  
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Comment or Question:

Dear Mayor and Council Members,

I just wanted to share a few thoughts I had with you. Earlier this evening I heard Terry Werner make a statement to the effect of not getting your message out about the importance of the Bond. I would like to comment on that statement. First of all it is my belief that the message was received and understood by Lincoln's good people. The message was higher taxes. In return I would like you to hear our message NO NEW TAXES. You advertised this as a fast food meal a month. Considering I can only afford to take my wife out to eat a couple of times a month I consider this price too high. Pretty soon it will be a steak dinner with crab legs on the side. I am a proud new home owner here in Lincoln and I enjoy living in this city, but the property taxes are already outrageous.

When my budget in my household isn't working I am forced to consider what to cut and what to keep in order to achieve my family's goals. It would be nice if you as individuals and council members would consider such actions. Run our city government as you would your own personal business. Any business that borrows their way out of a whole only digs a deeper one. As with any business use what you have and achieve the most you can with it. Remember the borrower is slave to the lender.

Finally I would like to comment on the Patriot Act issue discussed Monday. For those of you who voted for taking a stance against it I am utterly ashamed of you and will remember this whenever I go to the ballot box. For those of you who voted against this ridiculous endeavor I applaud you. Keep this in mind next time you as City Council members and as our Mayor are to represent the people of Lincoln. I don't remember this issue on any ballot and next time don't presume to know our thoughts. This was a political statement and one of the most foolish endeavors I have witnessed as of yet.

Sincerely,  
Trenton L. Gibbs



DO NOT REPLY to this-  
InterLinc  
<none@lincoln.ne.gov>  
>

To: General Council <council@lincoln.ne.gov>  
cc:  
Subject: InterLinc: Council Feedback

09/15/2004 08:40 AM

InterLinc: City Council Feedback for  
General Council

Name: Tony Ojeda  
Address: 14440 SW 15TH  
City: Roca, NE  
  
Phone: 794-4440  
Fax:  
Email:

RECEIVED  
SEP 15 2004  
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OFFICE

Comment or Question:

I am writing this letter in regard to the recent failure of the Bond issue being passed. I believe the citizens of Lincoln have spoken loud and clear. They are sick and tired of how much they are taxed. Their property taxes are already extremely high as are their state income taxes, and state and local sales tax. I also think it showed that even though the business community in Lincoln would like to say it is unified it is clear this is not the case. This Bond issue, because of how it was set up in a special election should have passed easily. If the business community alone would have gotten out the vote it should have passed easily. Well, either the business community didn't care or many were against it.

I am no longer a resident of Lincoln, but I must say that I opposed the Bond issue. I did not publicly campaign against it and probably only told a handful of people how I felt about it. I sensed from the beginning that it would fail to pass by a large margin. I have talked to many citizens of Lincoln who feel that they are overtaxed. This group includes Republicans, Democrats, and Independants. I have also spoken to several City of Lincoln employees who are not happy with the current administration, and this includes the Mayor's office and all members of the City Council.

Tough times lead to tough decisions. I think it is time for the City Council and Mayor to start looking at budget freezing or even rexamining City Government. What services does the city provide? What services are not neccessary? What services could be better provided by private business. Is is time to even start cutting the budget? Not increases in the budget, but actual cuts in the budget.

I suspect that if the political bickering on both sides of the aisle doesn't stop we will see a much different City Council and Mayor's office in the future. We need leaders who won't be concerned about their next election and will actually redefine what government does for its citizens. We need leaders who will control and cut what it taxes its citizens. We also need the business community to be the watchdog that it has been in the past.

Sincerely,

Tony Ojeda



**Joan V Ray**

09/15/2004 09:53 AM

To: "Ruthann Young" <rayoung@alltel.net>  
cc: <council@ci.lincoln.ne.us>, "Carol Connor" <cjc@rand.lcl.lib.ne.us>  
Subject: Re: Library bonds

Dear Ms. Young: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

"Ruthann Young" <rayoung@alltel.net>



**"Ruthann Young"**  
**<rayoung@alltel.net>**

09/13/2004 09:59 PM

To: <council@ci.lincoln.ne.us>  
cc: "Carol Connor" <cjc@rand.lcl.lib.ne.us>  
Subject: Library bonds

Libraries are so important for our city's future. You must learn to understand that! You are not being good stewards, in my opinion, of our libraries' future.--so important for the diversity here! Some of us can afford to buy books, but most can't. And the library now buys them in so MANY languages for our changing community. You are shifting the budget and stealing from the now for the future, and it won't work. Please read my attached letter and respond within due time. Thank you.



Ruthann "Ruthie" Young Library bonds.doc

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September 13, 2004

Members of the Lincoln City Council:

I have been watching today the local Patriot Act discussion on TV. Long a fighter for privacy of Library records, I have strong feelings—and misgivings. My privacy to check out “Sex for Seniors” is vital! But if Bin Laden himself came into our library to check out “How to Blow Up Nebraska and Its Capitol,” I’d want to **trust my government officials**. . . .

But, my Lincoln city government officials, I **no longer trust** any of you due to the **mis-use of returned funds from the Library Bonds issued on behalf of the voters**.

As the Library Board president at the time of the bond issue ballot, I and others pledged much. As stewards of No/Frills budgeting (like landscaping-so-needed!), we returned some \$2.5 million to the city.

I was invited to the Library Board meeting of August 17, 2004 when a check for \$2,486,596.59 was presented to Mayor Seng. Publicity photos and a news release were to follow. I guess I missed that coverage.

Only after that ceremony did I learn you’d already appropriated most of the returned monies to cover your budget.

- 1 \$1,800,000 for 27<sup>th</sup> Pay Period in 2005-6
- 2 \$500,000 used in FY 2004-05 Budget proposal

That’s how Keno monies sneaked into the Libraries’ operational budget years ago; never should have happened; no Library Board members wanted that. The “watchful citizens” of the Library Board never wanted bond monies to be used for salaries or other operational expenses.

Now what.

How are you going to cover your you-know-whats in the future when you don’t get the returned ‘windfall’ from dedicated, scrupulous volunteers like those Library Board members who then served to unknowingly bail you out now???

Shame on you, All. As a nearly 9-year member of the Library Board and as a taxpayer of this city, I feel duped.

Sincerely,  
Ruthann Young

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OFFICE



**Joan V Ray**

09/15/2004 08:56 AM

To: EDS19495@aol.com  
cc: council@ci.lincoln.ne.us, EDS19495@aol.com  
Subject: Re: (no subject)

Dear Mr. Schnabel: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

EDS19495@aol.com

RECEIVED  
SEP 15 2004  
CITY COUNCIL  
OFFICE



**EDS19495@aol.com**

09/13/2004 11:22 PM

To: council@ci.lincoln.ne.us  
cc: EDS19495@aol.com  
Subject: (no subject)

Note to all members on tonights meeting.

Two items,

I voted NO on the street bonds today. Not that the city does not need to repair or build them, I have been saying for years that we need to build some of the streets that are on the list to be built. I voted NO because the Mayor and City Staff would not give me a simple answer to a question I keep asking. Give me a list of the estimated cost of each project? Their answer was, "We can't, and we do not have any idea as to the cost." "They were talked about at the SRT meetings and they came up with the figure."

The city just finished building "O" street to six lanes; I know they know the cost per foot. They have rebuilt traffic lights, run new cables, put in turn lanes, rebuilt sides streets, so do not tell me that they do not know the costs. Get real. They have built over passes, etc. The city has the costs to all these projects and has kept track of the cost increases over the years.

How else does the city know if the cost for a project is in line as to what the bid should be? All I asked was that they publish these projected costs per project. I wanted to see what the city projected per project to see that it did total up to the \$ 75 million dollars.

Again, I ask why wouldn't the city just give me a straight answer and send me a listing of each estimated cost. What is the big secret, what is the city and Mayor hiding? If they want support of the votes they need to be forth right with the facts and figures.

Second,

Again I feel the city council has voted on items that they have no voice in. If you want to hold a

press conference and tell us how you feel on national issues, fine, but it does not belong in front of the council.

I have given twenty plus years to the military, protecting our country. If you feel that we are now safer here in Lincoln due to your actions you are very wrong. They will hit anyplace that they feel will have the greatest impact. From my time in the service and driving Lincoln every day, I see many, many items and places that I would hit if I were them. Most of them are so open that they could hit us and be gone before anyone knew that they were under attack. Most of the items I would hit would cause little damage but the effect of what I would hit would stop Lincoln dead in its tracks.

Just look at what problems the broken truck on HY 77 caused last week. I sat in traffic on SW40th for almost an hour trying to get across the tracks to get a student home on the school bus I drive for LPS. What if it had been a bomb and taken out the bridges and railroad. What a mess it would cause to our city traffic, truck traffic on I80 and rail traffic.

Traffic was a mess downtown and on SW40th, we could have had many more bombs going through downtown and not even know it. We stopped the traffic on BN, how many bombs might have been on these trains that were stopped along our streets and roads?

Do you really think that they would care if someone home was being checked out for what they might have read at the Lib.? They want to kill each and every one of us.

Think what a derailment in the BN yard would cause; think about what might be on those cars. What if there was a leak, which way does the wind blow on most days? From the west and where is the seat of city, county and state government?

Again, do you really think that they care about how the ACLU thinks?

I think of how open the city is to these types of attack, how there is nothing that can be done to stop them if they really wanted to hit us in the heart land of our country.

I can see why we need to be tracking the movement of money, tracking the calls, etc.; we have to stop them before they act, not after. We will be far too busy trying to correct the damage caused to stop and back track to find them then.

A bomb on a truck, derailment, etc could cost the city billions and you want to please the ACLU and debate for over eight hours on how each of you feel about it.

I much rather have you request to know that all the trucks and rail cars moving into and out of Lincoln each day are free of any bombs, etc. The ports worry about ships that have not been checked, I agree, but what happens after they leave the ports, they travel from LA area to New York, and the east, right across the Midwest.

Who said they have to set off the bombs in LA? A bomb in Lincoln, I80, and rail yard would

cause just as much damage here, 100,000 killed? Maybe if the bomb was right and in the right place.

Well, you know better, I only think of what might happen, having studied it while in the service.

I would like to know your thoughts on both items. Why the city would not give me a straight answer on the cost for each project and why so much time was spent on an ALCU item that should never have been on the council agenda.

Sincerely

Ed Schnabel

Councilman John Cook  
City County Building  
555 S. 10<sup>th</sup> Street  
Lincoln, Nebraska

RECEIVED  
SEP 15 2004  
CITY COUNCIL  
OFFICE

September 14, 2004

Dear Mr. Cook:

This letter is in regard to your participation and support in the passing of a resolution opposing portions of the 2001 Patriot Act.

I respect all of the public opinions that were expressed at the recent city council meeting regardless of their position for or against. I also commend them on their interest and involvement on such an important issue and their willingness to be heard.

However, this issue clearly exists on a separate and distinct level of government. The Lincoln City Council absolutely lacks any legitimate authority to change this legislation.

As my locally elected city councilman you are expected to address city issues. This is not a city issue. I have other elected members in government that have the ability and the authority to affect change on this level.

As an educated member of this community I am able to identify an issue or an injustice without the help of a toothless resolution passed by my local city councilman. I am also able to bring the issue to the attention of the appropriate individual.

There is no shortage of local issues in which you have the authority to address and affect change. As my city councilman, I would like to encourage you to concentrate on building a realistic and progressive future for Lincoln.

This future should promote reasonable growth and encourage new businesses to gravitate to our community, and existing businesses to stay. You should work to ensure a fair and equitable budget, one that favors not the individual but the community. You should work to ensure that our community has exceptional public services and schools.

You should exercise caution when making sweeping decisions that will have a lasting affect on the city, especially in matters of public safety.

You voted to remove an ambulance service that employed over 70 members of our community and provided a high level of service. Your vote came after debate was stopped short to eliminate this service.

I recall the debate, and the nature of how it was brought to a vote. As an elected public official who has proven his willingness and desire to provide a forum for all topics within or outside your scope to be discussed and thoroughly debated you should be embarrassed.

I sincerely respect your desire to think globally, and your willingness to act locally. Mr. Cook as my elected city councilman please ensure that you do just that. Think globally, and act locally because I, and others like me will be....with our vote

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Jahnke", with a stylized flourish at the end.

Mike Jahnke  
620 South 44<sup>th</sup>  
Lincoln, NE  
68510  
District 3

This letter is intended as personal correspondence. It is intended for Mr. Cook and those individuals listed below. You do not have my consent to read or publish my letter in any public forum or manner.

cc

Jon Camp  
Glenn Friendt  
Annette McRoy  
Patte Newman  
Ken Svoboda  
Terry Werner  
Coleen Sang



Joan V Ray

09/15/2004 12:56 PM

To: Dan Haase <dh43849@alltel.net>

cc: "Honorable Mayor C. Seng" <mayor@ci.lincoln.ne.us>, City Council  
Member <council@ci.lincoln.ne.us>

Subject: Re: Property Tax: A burden of fairness unment?

Dear Mr. Haase: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Dan Haase <dh43849@alltel.net>



Dan Haase

<dh43849@alltel.net>

09/14/2004 09:56 AM

To: "Honorable Mayor C. Seng" <mayor@ci.lincoln.ne.us>, City Council  
Member <council@ci.lincoln.ne.us>

cc:

Subject: Property Tax: A burden of fairness unment?

Dear Mayor,

As a long time advocate for development and quality of our infrastructure, I find a continuous pattern of "group think" or "collective failure" that provides an unfair and increasing disparity in how taxes are assessed to fund the needed projects.

Multi resident properties and those who live in high density buildings seem to lag behind in their quantified participation in paying taxes for our infrastructure.

Are my beliefs based on myth or do you have data that would support, for example, that "apartment dwellers" pay equal or a standard deviation below that of the average "home owner"? What disparity exists in our tax approach that may unfairly allow certain (but a significant number) of citizens of our city escape the duty of equal and fair taxation but still are among the primary beneficiaries of our infrastructure?

Are duplex and apartment properties generating, per capita, an equal or near equivalent per person or per unit revenue for our infrastructure?

I'd appreciate the facts, the data so I better know if complaints are "valid"!

kindly,

3612 S 75; 68506

RECEIVED  
SEP 15 2004  
CITY COUNCIL  
OFFICE



Joan V Ray

09/15/2004 12:58 PM

To: "Glenn Ledder" <gledder@math.unl.edu>  
cc: <council@lincoln.ne.gov>  
Subject: Re: Follow up to Patriot Act testimony

Dear Mr. Ledder: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

"Glenn Ledder" <gledder@math.unl.edu>



"Glenn Ledder"  
<gledder@math.unl.edu>  
u>

09/14/2004 12:04 PM

To: <council@lincoln.ne.gov>  
cc:  
Subject: Follow up to Patriot Act testimony

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Ladies and Gentlemen of the City Council,

I spoke in support of the resolution regarding the Patriot Act at the City Council meeting yesterday. I was not as prepared as I now realize was necessary, so I was unable to answer the questions posed by Councilmen Camp and Friendt. I indicated that I could answer those questions with a little research. Although the resolution is no longer pending, I feel morally and intellectually responsible for finishing the discussion.

Councilman Friendt asked me if the gentleman from the Immigration Service was wrong about Section 412, since my testimony appeared to contradict his. Having carefully reread Section 412, I can now answer that his testimony was not wrong; however, it failed to include some of the most important information. Moreover, the law is contradictory and open to varied interpretation, a feature which is undesirable, independent of anything else.

The complete text of Section 412 is appended after my note. In short, it gives the Attorney General the right to take into custody any alien who he/she "has reasonable grounds to believe is engaged in any other activity that endangers the national security of the United States." The Attorney General is required to charge the alien with a crime or initiate removal proceedings within 7 days. However, paragraph 6 allows this detention to continue for up to 6 months without charging the alien with a crime. While paragraph 6 says that the detention cannot exceed 6 months, paragraph 7 provides for continuing review every additional 6 months. If detention is really restricted to 6 months, why is there a paragraph mandating review for aliens detained an additional 6 months?

Even without the troublesome paragraph 7, the law greatly weakens the Sixth Amendment rights of the alien. The law says that an alien can be detained for 6 months on the word of one person, the Attorney General, with none of the protections mentioned in the Sixth Amendment: no information as to the nature and cause of the accusation, no confrontation with witnesses against the suspect, and no assistance of counsel. Part (b) of Section 412 further



erodes the Sixth Amendment. Judicial review is limited to habeas corpus proceedings, and there is no legal guarantee that the detainee will have access to counsel capable of initiating the proceedings. In summary, the law appears to be intended to go as far as possible in weakening the Sixth Amendment without guaranteeing that it will be stricken down by the Supreme Court.

Councilman Camp asked if I could cite a case where an alien was detained as I claimed. I cannot cite a specific case. However, the primary issue at hand is not what has happened to date, but what the law specifically permits.

I also have a some questions that I would have liked to ask Councilmen Camp, Friendt, and Svoboda. I am old enough to remember when the Republican Party was the party of libertarian philosophy, the party that held that government should be limited and that governmental intrusion into citizens' private lives should be minimized. What has happened to the Republican Party since then? How did it change from being a defender of individual rights to being a defender of big government? How can it claim even now to be in favor of smaller government when it favors laws that allow the government to compile enormous amounts of data on individuals' reading habits? If there were no Bill of Rights to protect us, how much farther would the Republican Party want to go in the direction of invasive government?

Sincerely,  
Glenn Ledder

SEC. 412. MANDATORY DETENTION OF SUSPECTED TERRORISTS; HABEAS CORPUS;  
JUDICIAL REVIEW.

(a) IN GENERAL- The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after section 236 the following:

MANDATORY DETENTION OF SUSPECTED TERRORISTS; HABEAS CORPUS; JUDICIAL REVIEW  
SEC. 236A. (a) DETENTION OF TERRORIST ALIENS-

(1) CUSTODY- The Attorney General shall take into custody any alien who is certified under paragraph (3).

(2) RELEASE- Except as provided in paragraphs (5) and (6), the Attorney General shall maintain custody of such an alien until the alien is removed from the United States. Except as provided in paragraph (6), such custody shall be maintained irrespective of any relief from removal for which the alien may be eligible, or any relief from removal granted the alien, until the Attorney General determines that the alien is no longer an alien who may be certified under paragraph (3). If the alien is finally determined not to be removable, detention pursuant to this subsection shall terminate.

(3) CERTIFICATION- The Attorney General may certify an alien under this paragraph if the Attorney General has reasonable grounds to believe that the alien--

(A) is described in section 212(a)(3)(A)(i), 212(a)(3)(A)(iii), 212(a)(3)(B), 237(a)(4)(A)(i), 237(a)(4)(A)(iii), or 237(a)(4)(B); or

(B) is engaged in any other activity that endangers the national security of the United States.

(4) NONDELEGATION- The Attorney General may delegate the authority provided

under paragraph (3) only to the Deputy Attorney General. The Deputy Attorney General may not delegate such authority.

^(5) COMMENCEMENT OF PROCEEDINGS- The Attorney General shall place an alien detained under paragraph (1) in removal proceedings, or shall charge the alien with a criminal offense, not later than 7 days after the commencement of such detention. If the requirement of the preceding sentence is not satisfied, the Attorney General shall release the alien.

^(6) LIMITATION ON INDEFINITE DETENTION- An alien detained solely under paragraph (1) who has not been removed under section 241(a)(1)(A), and whose removal is unlikely in the reasonably foreseeable future, may be detained for additional periods of up to six months only if the release of the alien will threaten the national security of the United States or the safety of the community or any person.

^(7) REVIEW OF CERTIFICATION- The Attorney General shall review the certification made under paragraph (3) every 6 months. If the Attorney General determines, in the Attorney General's discretion, that the certification should be revoked, the alien may be released on such conditions as the Attorney General deems appropriate, unless such release is otherwise prohibited by law. The alien may request each 6 months in writing that the Attorney General reconsider the certification and may submit documents or other evidence in support of that request.

^(b) HABEAS CORPUS AND JUDICIAL REVIEW-

^(1) IN GENERAL- Judicial review of any action or decision relating to this section (including judicial review of the merits of a determination made under subsection (a)(3) or (a)(6)) is available exclusively in habeas corpus proceedings consistent with this subsection. Except as provided in the preceding sentence, no court shall have jurisdiction to review, by habeas corpus petition or otherwise, any such action or decision.

^(2) APPLICATION-

^(A) IN GENERAL- Notwithstanding any other provision of law, including section 2241(a) of title 28, United States Code, habeas corpus proceedings described in paragraph (1) may be initiated only by an application filed with--

^(i) the Supreme Court;

^(ii) any justice of the Supreme Court;

^(iii) any circuit judge of the United States Court of Appeals for the District of Columbia Circuit; or

^(iv) any district court otherwise having jurisdiction to entertain it.

^(B) APPLICATION TRANSFER- Section 2241(b) of title 28, United States Code, shall apply to an application for a writ of habeas corpus described in subparagraph (A).

^(3) APPEALS- Notwithstanding any other provision of law, including section 2253 of title 28, in habeas corpus proceedings described in paragraph (1) before a circuit or district judge, the final order shall be subject to review, on appeal, by the United States Court of Appeals for the District of Columbia Circuit. There shall be no right of appeal in such proceedings to any other circuit court of appeals.

`(4) RULE OF DECISION- The law applied by the Supreme Court and the United States Court of Appeals for the District of Columbia Circuit shall be regarded as the rule of decision in habeas corpus proceedings described in paragraph (1).

`(c) STATUTORY CONSTRUCTION- The provisions of this section shall not be applicable to any other provision of this Act.'.

(b) CLERICAL AMENDMENT- The table of contents of the Immigration and Nationality Act is amended by inserting after the item relating to section 236 the following:

`Sec. 236A. Mandatory detention of suspected terrorist; habeas corpus; judicial review.'.

(c) REPORTS- Not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter, the Attorney General shall submit a report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, with respect to the reporting period, on--

(1) the number of aliens certified under section 236A(a) (3) of the Immigration and Nationality Act, as added by subsection (a);

(2) the grounds for such certifications;

(3) the nationalities of the aliens so certified;

(4) the length of the detention for each alien so certified; and

(5) the number of aliens so certified who--

(A) were granted any form of relief from removal;

(B) were removed;

(C) the Attorney General has determined are no longer aliens who may be so certified; or

(D) were released from detention.

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Joan V Ray

09/15/2004 01:02 PM

To: "Robert (Bud) & Phyllis Narveson" <woodlawn@woodlawnresort.com>  
cc: lincoln city council <Council@ci.lincoln.ne.us>  
Subject: Re: Patriot Act

Dear Mr. Narveson: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

"Robert (Bud) & Phyllis Narveson" <woodlawn@woodlawnresort.com>



"Robert (Bud) & Phyllis  
Narveson"

<woodlawn@woodlaw  
nresort.com>

To: lincoln city council <Council@ci.lincoln.ne.us>  
cc:  
Subject: Patriot Act

09/14/2004 03:58 PM

Congratulations to the majority who voted to oppose sections of the USAPatriot Act. Now I hope the mayor will join in condemning unnecessary intrusions into the privacy of citizens.

Robert Narveson  
1729 C St.

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Joan V Ray

09/15/2004 01:03 PM

To: IRENEW@FES.ORG  
cc: General Council <council@lincoln.ne.gov>  
Subject: Re: InterLinc: Council Feedback

Dear Ms. Williams: The City Clerk's Office would have a record of the Council Members' voting history. The e-mail address for the City Clerk is jross@lincoln.ne.gov. The City Clerk's Office also has a website at:

<http://www.lincoln.ne.gov/city/finance/clerk/index.htm>

The phone number for the Clerk's Office is 441-7438

For information on the election of Council Members and answers to your other concerns, I would direct you to the Lincoln City Charter which can be found on the web at:

<http://www.lincoln.ne.gov/city/attorn/lmc/charter.pdf>

I hope this proves helpful to you

Joan V. Ray  
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555 South 10th Street  
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e-mail: jray@ci.lincoln.ne.us

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DO NOT REPLY to this- InterLinc <none@lincoln.ne.gov>



DO NOT REPLY to this-  
InterLinc  
<none@lincoln.ne.gov>  
>

To: General Council <council@lincoln.ne.gov>  
cc:  
Subject: InterLinc: Council Feedback

09/14/2004 03:59 PM

InterLinc: City Council Feedback for  
General Council

Name: IRENE WILLIAMS  
Address: 3201 SOUTH STREET #151  
City: Lincoln, NE 68502

Phone:  
Fax:  
Email: IRENEW@FES.ORG

Comment or Question:

I was wondering where can I get information on items which the city council has voted on and how each member has voted.

Also do you have a rules book or something that would educate me on how the city council works - election of members, salaries, meetings, procedures, budget etc.

I am trying to educate myself on this process. You may email me or send me information via email to the above address. Thank you.

Irene Williams



Joan V Ray

09/15/2004 01:11 PM

To: klpdsp@juno.com

cc: council@ci.lincoln.ne.us

Subject: Re: Attention All Council Members: Andrea's Court Community Unit Plan, Special Permit #04035

Dear Mr. & Ms. Portenier: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

klpdsp@juno.com



klpdsp@juno.com

09/14/2004 08:59 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Attention All Council Members: Andrea's Court Community Unit Plan, Special Permit #04035

Attention All Council Members,

RE: Andrea's Court Community Unit Plan, Special Permit #04035

We reside at 4201 N. 40th St. and have a concern regarding the proposed new development in our neighborhood on the southwest corner of 40th and Superior streets. Our concern is the effect the development would have regarding the flood control problems on our property and the surrounding neighborhood. After the heavy rains in 1993 Turner ditch was completely full and caused some flooding in the area. With the proposed 32 town homes being built in such a small area at three to four feet above the flood plain we have concerns as to whether Turner ditch would be able to accommodate the extra run off created by this new development during heavy rains.

David & Karen Portenier

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<none@lincoln.ne.gov>  
>

To: General Council <council@lincoln.ne.gov>  
cc:  
Subject: InterLinc: Council Feedback

09/15/2004 09:54 AM

InterLinc: City Council Feedback for  
General Council

Name: steve davenport  
Address: 416 west beal street  
City: Lincoln, NE 68521

Phone: 402 476 5636  
Fax:  
Email: swd275@msn.com

Comment or Question:

You democrats just dont get it, especially the mayor. We dont want any higher taxes-period. Property taxes are already 5 times as much here as they were on my house of equal value in Charlotte, North Carolina. Quit wasting so much money and fix the roads with the money you already take from us homeowners. Besides, how can i trust the word of a board that puts partisan politics ahead of national security with the wasted debate and useless resolution against the Patriot Act. The democrats arent getting it on a national level, and it seems you arent getting it on the local level either. GOOD FOR THE VOTERS OF LINCOLN!

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Joan V Ray

09/15/2004 02:41 PM

To: <tdelozier@pol.net>  
cc: <council@ci.lincoln.ne.us>  
Subject: Re: failed bond issue

Dear Ms. Delozier: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

<tdelozier@pol.net>



<tdelozier@pol.net>

09/15/2004 09:56 AM

To: <council@ci.lincoln.ne.us>  
cc:  
Subject: failed bond issue

I urge all the city council members to take notice of the failed bond issue. I believe it is the city council rather than the citizens that are not getting the message. We are tired of being taxed for projects that may not be completed in a thorough and intelligent manner. Many of the LJS editorials and KLIN morning talk show callers spoke of developers not paying their fair share and the obvious mismanagement of public funds when it comes to road construction as well as other projects. I sincerely hope ALL of you have been paying attention to what the public is saying and respond in kind.

Jodi Delozier  
Lincoln

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Joan V Ray

To: ksloan@hotmail.com

09/16/2004 08:40 AM

cc:

Subject: Re: InterLinc: Council Feedback 

Dear Mr. Sloan: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

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DO NOT REPLY to this-  
InterLinc

<none@lincoln.ne.gov

>

To: General Council <council@lincoln.ne.gov>

cc:

Subject: InterLinc: Council Feedback

09/16/2004 08:11 AM

InterLinc: City Council Feedback for  
General Council

Name: Samuel K. Sloan

Address: 8121 Glynoaks Drive

City: Lincoln, NE 68516

Phone:

Fax:

Email: sksloan@hotmail.com

Comment or Question:

Members of Council:

I voted down the Street Bond Issue for the same reason most Lincolniters did; Higher Property Taxes. Homeowners have about had it with us bearing the biggest brunt of Lincoln's growth. Lincoln has one of the highest per capita personal property taxes in the nation for a city of its size and projected growth level. On Tuesday, by a margin of two to one, we said enough is enough. I believe we do need to make new and keep up our present street system but not at the expense of the property owner alone. We are not the only residents and workers in the city that use these streets. City Council and the Mayor's office will have to come up with an alternative to property tax to fund future measures. One that all residents and workers in the city can share in. Many cities use an annual \$10.00 to \$20.00 worker payroll tax to fund the street projects. In that way all people who work in the city and drive on its streets pay once a year toward the projects by direct payroll deduction. Also keeping the city within tight budgetary restraints and not seeing property owners as a cash cow will require a different mind set with some members of the Council and in the Mayor's office.

Thanks for your time,

Samuel K. Sloan  
sksloan@hotmail.com

wayne hester

From: "Mel Hester" <mel@hester.com>  
 To: "Wayne Hester" <nhester@inebraska.com>  
 Sent: Tuesday, September 14, 2004 11:27 AM  
 Subject: From Mel

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 SEP 16 2004  
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By Dick Morris

September 12, 2004 -- Last Wednesday, I appeared with former Gov. Mario Cuomo at a forum sponsored by The Week Magazine and its editor Harry Evans at Grand Central Terminal. The governor attacked President Bush vigorously for "lying" about the War on Terror and criticized virtually every aspect of his efforts to keep America safe.

I rose in righteous indignation and spoke of how various key New York City targets - notably the Brooklyn Bridge, Newark Liberty International Airport and the Garment District - would have been hit by al Qaeda terrorists if it were not for the efforts of the Bush administration and the provisions of the Patriot Act.

In response, Cuomo asked me to forward the information to him so he could review it. I do so now. It is a shame the governor didn't take the trouble to inform himself on these matters before he blundered into harsh criticism of New York City's savior: President George W. Bush.

Bush's partner has been, of course, the New York City Police Department. Commissioner Ray Kelly has responded to the threats with unbelievable energy and promptness. We owe so very much to the men and women in blue for our safety. Many of the following facts come from interviews with department officials.

In March of last year, federal intelligence officials reported to the NYPD that they had noticed significant "chatter" by al Qaeda terrorists about the Brooklyn Bridge. (Apparently, the name doesn't easily translate into Arabic.) Under the terms of the Patriot Act, which the left criticizes, federal intelligence operatives were obliged to share their findings with the NYPD - precisely the kind of information sharing so little in evidence before 9/11. As a result, the department, under Ray Kelly's able leadership, flooded the bridge with police.

Federal intelligence officials then intercepted a communication to al Qaeda from an operative in New York that the operation against the landmark bridge was impossible because "the weather is too hot."

Bush's military and intelligence officials got a captive, Khalid Sheik Mohammed, a top bin Laden deputy, to identify the terrorist assigned to blow up the bridge. Acting on the evidence they elicited from interrogations specifically allowed by the policies of the Bush administration, the NYPD closed in and arrested the terrorist, Iyman

9/15/2004

Faris, before he could act.

Faris' plans for the destruction of the bridge were chillingly detailed and coincided precisely with the findings of engineers employed by the NYPD to determine how one might go about destroying the 120-year-old landmark.

If the left had its way, we never would have arrested Mohammed or questioned him without his attorney or held him for any length of time. The information-sharing required by the Patriot Act would not have happened, and the bridge might today be a haunting memory along with the estimated 10,000 people who would have perished in the attack.

The garment district would have been the new ground zero had another al Qaeda plot succeeded. A top terrorist sent his son to New York. He got a job at a garment company that imported goods from Kashmir and brought them right into the middle of Manhattan by truck. Because the company had a clean record, al Qaeda tried to take it over so they could import explosives and Stinger missiles into Manhattan without inspection. The al Qaeda leader's son offered \$100,000 to buy a part of the company to facilitate their plans.

Our interrogation of Mohammed, authorized by Bush administration policies, again saved the day. He exposed the plot, and the NYPD was able to thwart it, saving the garment district from destruction and interdicting terrorist plans to use Stinger missiles to shoot down passenger aircraft taking off from Newark Airport.

Other al Qaeda plots unearthed by U.S.-U.K.-Pakistani forces included blueprints for the destruction of the New York Stock Exchange and the Citicorp Center. These joint operations would not have happened were it not for Bush's skill at arranging an alliance with Pakistan. Before 9/11, too many elements of Pakistan's intelligence community and military were working with al Qaeda and the Taliban. While liberals may lament our inability to enlist France as an ally in the battle against terror, signing up Pakistan was vastly more important.

But Gov. Cuomo related his ignorance of either the Brooklyn Bridge or the garment center plots. It ill-becomes the former governor of this state, who is a lifelong resident of our city, to show such ingratitude to the president under whose leadership and at whose insistence the measures were put in place to protect our city against such mayhem.

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